

**DRAFT, SUBJECT TO APPROVAL AT THE FACULTY SENATE MEETING ON  
SEPTEMBER 9, 2005**

**THE GEORGE WASHINGTON UNIVERSITY  
Washington, D.C.**

**MINUTES OF THE REGULAR MEETING  
OF THE FACULTY SENATE HELD ON  
MAY 13, 2005 IN THE MARVIN CENTER, ROOM 310**

**Present:** President Trachtenberg, Vice President Lehman, Registrar Amundson, and Parliamentarian Johnson; Deans Phillips and Whitaker; Professors Artz, Biles, Briscoe, Castleberry, Cordes, Englander, Gallo, Garris, Griffith, Gupta, Helgert, Kim-Renaud, Marotta, Miller, Mueller, Pagel, Robin, Robinson, Rycroft, Shen, Simon, Vergara, Wilmarth, Wirtz, and Zea

**Absent:** Deans Frawley, Futrell, Harding, Katz, Scott, Tong, and Trangsrud; Professors Delaney and Friedenthal

The meeting was called to order by President Trachtenberg at 2:15 p.m.

**IN MEMORIAM**

Professor Michael King, Chair of the Chemistry Department, read a Tribute in Memory of Charles Rudolph Naeser, Professor Emeritus of Chemistry. (The tribute is attached.)

**INTRODUCTION OF NEW SENATE MEMBERS**

President Trachtenberg introduced new Senate members as follows: Professors John M. Artz, Young-Key Kim-Renaud, Barbara D. Miller, Scott B. Pagel, Robert W. Rycroft, and Maria-Cecilia Zea.

Re-elected Senate members were: Professors Brian L. Biles, William J. Briscoe, Michael S. Castleberry, Ernest J. Englander, Murli M. Gupta, Sylvia A. Marotta, and Gary L. Simon.

**APPROVAL OF THE MINUTES**

The minutes of the regular meeting held on April 8, 2005 were approved as distributed.

**MOTION TO SUSPEND THE RULES**

Professor Lilien F. Robinson, Chair of the Senate Executive Committee, moved that Senate rules be suspended so that a Resolution not published with the agenda could be considered. The motion was seconded, and no discussion followed. The Senate voted by more than the required two-thirds majority to suspend the rules.

**RESOLUTION 05/2, "A RESOLUTION ON FACULTY AND STAFF  
COMPENSATION INCREASES AND COMPENSATION POLICY"**

Professor Robinson asked if Resolution 05/2 had been distributed, and seeing that it had, she moved its adoption, and the motion was seconded. Professor Robinson then spoke to the motion, saying that Resolution 05/2 had been drafted in the last few days, since the Special Meeting of the Senate held on May 9, 2005. Following that meeting, discussions revolving around the state of the University's finances had ensued between Faculty Senate members and numerous colleagues from a very broad constituency of faculty. The discussion centered on such matters as the University's debt-to-endowment ratio, its heavy reliance on larger enrollments and higher tuition revenue, higher student-teacher ratios, inadequate classroom space, a retreat from maintaining faculty salaries at the 80<sup>th</sup> American Association of University Professors (AAUP) percentile, the fact that, despite ample mechanisms for shared governance, especially through the channel of the Senate's Fiscal Planning and Budgeting Committee (FP&B), the advice of faculty had not been sought, and faculty had not been kept informed in a timely and systematic matter concerning these central planning and budgeting issues. Consequently, Professor Robinson said that Resolution 05/2 addresses the following: 1) that the faculty shares with the administration responsibility for the formulation of policy and planning decisions, and it has been largely excluded from such planning; 2) that the faculty opposes a compensation plan that defers annual salary increases for faculty and staff until January 1, 2006, thus changing the salary cycle from the academic to the calendar year, and that would provide less than a 4% salary increase, and 3) that it is essential and consistent with shared governance of the University that faculty be directly and systematically involved in the planning process. The Resolution also calls for the establishment of a plan with a timetable, to improve the information-sharing process on the part of the administration, chiefly through the Senate's FP&B Committee.

Professor Cordes rose to offer an amendment to the first paragraph of the first Resolving Clause with the following language:

That the Faculty Senate Committee on Fiscal Planning and Budgeting and the administration jointly develop for presentation to the Senate no later than the [date of the] December 2005 Senate meeting a three-year plan for raising and then maintaining faculty and staff salaries at a level that is commensurate with the University's aspirations for excellence, to include, though not be limited to, attaining the 80<sup>th</sup> percentile goal, with semi-annual reports.

Professor Cordes then spoke to the amendment, saying he thought it a positive thing that the University has repeatedly stated its goal of raising faculty salaries to meet the AAUP's 80<sup>th</sup> percentile goal. He acknowledged that his amendment does not contain any reference to the 60<sup>th</sup> AAUP percentile goal as a "floor" for faculty salaries, and he said he realized that this might be a contentious issue, but the University ought to be striving for the higher goal in view of its aspirations for excellence, not merely staying above the 60<sup>th</sup> percentile.

Discussion followed between Professors Cordes, Mueller, Griffith, and Wirtz on the amendment. Professor Mueller said that he could not support the amendment inasmuch as faculty salaries in the constituency he represents from the Graduate School of Education and Human Development are presently far below the 60<sup>th</sup> AAUP percentile goal which the University has accepted as a benchmark. Professor Cordes said he understood Professor Mueller's position, but would have to agree to disagree with him on this point. Professor Mueller suggested that if the goal is really to achieve 80% percentile salaries on average, the way to do this is not to jettison the 60% floor but to ensure that this benchmark is met across the board first.

Professor Wirtz spoke in opposition to the amendment, saying it seemed to him that what the amendment seeks to do is to limit the coverage of Resolution 87/1 which originally set forth the University's aspirations with respect to the AAUP salary figures. While this is certainly worthy of discussion, Professor Wirtz said he did not think that this forum was the proper one for that exchange, which deserves a thorough hearing by the appropriate Committee, and possibly a formal resolution if one or more of these goals are to be set aside.

Professor Griffith agreed with Professor Wirtz's sentiments in opposing the amendment, and added that if the FP&B Committee finds that the three year period for attaining the AAUP goals postulated in Resolution 05/2 is too short a time frame, then perhaps a further plan with definite goals and steps toward those goals can be formulated.

The question was called on the amendment, a vote was taken, and the amendment failed. Discussion followed on Resolution 05/2. Professor Gupta observed that Senate Resolution 87/1, which first set forth the goal of reaching the 80<sup>th</sup> and 60<sup>th</sup> percentile AAUP goals, had been in existence for nearly a generation, and he added that the administration has stated many times that it endorses these goals, most recently at the Senate's Special Meeting the previous Monday. The administration needs to take action and it needs to have a concrete plan if goals are to be achieved, he added.

The President responded that the University had formulated and implemented a plan to reach the 80<sup>th</sup> percentile goal, and that goal had been reached, although some of the gains made subsequently eroded. Professor Gupta noted that the University had never reached the 60<sup>th</sup> percentile floor, and the President agreed with this observation.

Professor Wilmarth spoke in support of the Resolution, and moved the following amendment to the Fifth Whereas Clause of Resolution 05/2:

Whereas, the University faculty has been largely excluded from any of the planning decisions that have led to the University's current financial circumstances, including, among other factors:

- a) rapid increases in the University's total debt and debt-to endowment ratio;

- b) rapid growth in the University's enrollment without corresponding increases in its full-time faculty or its classroom inventory;
- c) heavy reliance on tuition revenues due to endowment management performance and fundraising efforts that have lagged behind many of the University's peer institutions; and

Professor Gupta seconded the motion. Professor Wilmarth then asked for the privilege of the floor for Professor Donald Parsons, Chair of the Ad Hoc Concerned Faculty Committee. The President asked if Professor Parsons could be heard at a later point in the meeting after Executive Vice President and Treasurer Louis Katz arrived, and Professor Wilmarth agreed to this.

A vote was taken on the motion, and the motion to amend Resolution 05/2 was adopted. The question was called, a vote was taken, and Resolution 05/2 was adopted, as amended. (Resolution 05/2 is attached.)

As Vice President Katz had just arrived at the meeting, the President called upon Professor Parsons, who outlined the thinking of the group authoring the Report by the Ad Hoc Concerned Faculty. The group first asked itself much the same question that Professor Wilmarth had posed, and that was how the University could be considering a salary freeze when things seemed to be going so well, with more students at higher tuition rates than ever before, and research funds flowing in. None of the usual signals of an operating company in financial trouble jumped out at them. Upon examination, what the group found was that the actual policies of the administration were sharply at variance with its public face. In particular, although Executive Vice President for Academic Affairs Lehman had articulated a very clear statement of the academic dreams of the University in the Strategic Plan for Academic Excellence [which posited greater resources for all sorts of different academic enterprises and a growing sense of community] administrative policies were not aligned with this vision. In seeking to determine how this state of affairs came about, the group focused on what they termed President Trachtenberg's "size vision," i.e. a commitment to raise the undergraduate enrollments from 6,000 to 10,000 rapidly. Donors were apparently not receptive to this, judging from the flow of gifts to the University, so it became apparent that if GW were to achieve its vision, it would have to do so itself, in a sense internally. This could be accomplished through debt, although some group members were worried in particular about the nature of that debt and the heavy reliance on short term debt.

Professor Parsons continued, saying that much of the vision is presently being financed out of the hides of current students, faculty, and staff. As shown in the Report, the numbers of tenured faculty have remained essentially the same throughout the expansion since 1998, despite a 40% increase in enrollment. It is the Ad Hoc group's impression that staff numbers are little changed as well. Faculty salaries at GW have not kept up with those at neighboring Georgetown or American Universities. Although the University may be achieving something – greater size, or perhaps greater glory in the future, what is going on at GW might best be described as a retreat from academic excellence. And the manner in

which this growth has been managed has had a terrible impact on the quality of education for GW students.

Professor Parsons went on to question whether or not GW's strategy will work, and he concluded that it would, in the short run, even though students are being taught by a large number of adjunct faculty in large classes scheduled on Friday nights. Students might not choose to enroll at GW if they knew this. Faculty often are established in their communities, have children, and spouses who work in the area, so they are unlikely to leave if dissatisfied. In the long run, the University's strategy of giving students a bad education will almost certainly not work, and faculty, particularly the best, brightest, and most productive young faculty who should be groomed to anchor the academic community in twenty years will not choose to be employed, or make their careers, at GW.

Professor Parsons then argued that the University needs to re-focus on Vice President Lehman's dream of academic excellence in a serious way, and redirect its efforts. The idea of taxing already extremely strained departments through a pullback of 1% and allocating that 1% to a subset of those departments for distribution is not a serious plan for academic excellence. What is a serious plan for academic excellence is obtaining large amounts of resources, smaller classes, and higher quality faculty. Professor Parsons concluded by saying if he had a proposal, it would be that President Trachtenberg and Vice President Katz sit down and redirect a rather substantial number of the millions of dollars that are being allocated for construction to faculty hiring, as well as salaries and classroom facilities. While it is the issue of employee salaries that was the subject of the Special Meeting, that is only a small part of the picture. And if the University walks away from the students and leaves them to be taught by adjuncts and non-tenure track faculty in stuffed classrooms with no teaching aides, then perhaps the University is not making available the education it would aspire to. In sum, Professor Parsons asked that the Senate think seriously not only about salary issues, but also about the larger issue of the degradation of the whole educational environment at GW in this period of expansion.

Vice President Katz then addressed some of the issues and concerns raised. First, he said, the changes GW has experienced have not occurred solely in the last two or three years, but over an extended period of some 15 to 17 years. Secondly, the overall student population at the University has not changed significantly, but the number of undergraduates has risen from approximately 6,000 to 9,950. On a headcount basis, the campus plan of 1985 was based on an overall student population cap of 20,000, on a headcount basis, and GW is not yet at that level.

Professor Griffith said he thought that, because the composition of the enrollment had changed significantly to include many more full-time students, faculty are actually teaching more classroom hours, even if the total enrollment remains relatively the same. Vice President Katz said that he viewed this as one of the positives, a perception which he hoped the faculty shared, as many more GW students are full-time. The University has acquired more space as this growth took place, at the Loudoun and Mt. Vernon campuses. Over the years since Vice President Katz came to GW, the University leased approximately 35,000 square feet (s.f.) of space, and presently GW leases approximately 500,000 s.f.

Emphasizing repeatedly that the University has fewer resources than its peer group institutions, Vice President Katz said that the University has come a long way, but it is still undercapitalized, and still has far to go. He noted that on a programmatic basis, the University is a much better institution today than it was fifteen years ago.

Vice President Katz then recapped his presentation at the Senate's Special Meeting earlier in the week as it pertained to GW's overall debt strategy, the necessity of setting priorities, selectively funding initiatives, and the cost to the institution in net resources as more research dollars are received. If more faculty are added, this will require more office space. One way to deal with classroom issues is to either build or rent more classrooms, which the administration is looking into. The absolute growth in research over the last five to six years, from \$55 million to nearly \$125 million actually costs the University something on the order of \$3 million, which requires the equivalent of a \$60 million endowment to fund.

Vice President Katz then discussed the Senate's expressed desire for the construction of a new science building, which he said he thought would cost about \$200 million. He added that the administration hopes there will be a 60 year revenue stream coming from the development of the Old Hospital site, but unless the University waits until it has the funds in hand to build the science building, it will have to take on more debt. Even assuming 10% of the cost can be obtained from fundraising, a hefty chunk of debt will be required to begin building.

Vice President Katz concluded by saying that as the institution improves, so does GW's ability to obtain resources. Strength builds strength, he said. GW's endowment has increased from roughly \$250 million fifteen years ago to \$800 million today, but for the University to be normative to peer institutions, this would required an endowment in excess of \$2 billion.

Professor Wirtz said he thought that these matters were a discussion which should be curtailed, as these are debatable issues, many of which were already discussed at length at the Special Meeting. The sense of the Resolution just adopted is that faculty do not feel they have been engaged in the planning and budgeting process, and faculty are not convinced that the financial situation is as dire as the proposed compensation deferral would indicate.

President Trachtenberg said that he disagreed with most of Professor Parson's statements which he characterized as "emotional rhetoric for an economist." Nevertheless, he said he appreciated the passion and commitment which undergirded the Professor's remarks, and he was grateful for that. The President said he found himself wondering why, if things are so bad, why are they so good? The University is in fact better, and both student and faculty quality have improved. Rating agencies, which make their judgments as empirically as possibly, agree. Their conclusions must be given some credence. The President added that he did not think it was necessary to indict the University in order to agree that there is a quarrel about whether it is better to award a salary pool of 3% on July 1, or a pool of 6% January 1, 2006. Life is about more than AAUP data, he observed, and he said he took special pride in the fact that GW still has an Engineering School, a Medical

School, and a new Hospital, none of which was inevitable. These were choices made and priorities set which have improved the quality of education and facilities at the University overall.

#### CHANGE IN THE ORDER OF THE AGENDA

Professor Robinson moved that the order of the agenda be changed so as to permit Dean Whitaker to make his presentation before Resolution 05/1 was considered. The motion was seconded, a vote was taken, and the motion passed.

#### REPORT ON THE COLLEGE OF PROFESSIONAL STUDIES

Dean Roger Whitaker distributed copies of a PowerPoint presentation he had prepared for the meeting, but in view of the length of the agenda he did not present the media version of the Report. Dean Whitaker said he appreciated the opportunity to update the Senate on the progress of the College of Professional Studies (CPS):

Dean Whitaker gave an overview of the operations of the College, which supports the administration of off-campus programs at the graduate level outside the Foggy Bottom campus boundaries (but not at the Loudoun/Virginia campus). CPS works with the School of Business (SB), Columbian College of Arts and Sciences (CCAS), the School of Engineering and Applied Science (SEAS), and the Graduate School of Education and Human Development (GSEHD), administering programs and facilities, marketing programs, and devising enrollment strategies. It is important to keep in mind, he added, that admissions, faculty, students, instruction, graduation requirements, and revenue are all the function of the individual Schools involved. CPS is headed by a Dean and two Associate Deans, but even though the College's operations are much larger than before, it has managed to reduce its total number of staff by two over the past four years.

Following the outline of his Report, Dean Whitaker briefly described the thirty-one programs overseen by CPS and the eleven off campus locations at which the programs are offered. Another site will be opened next year, when SEAS offers a doctoral program in southern Maryland. One third of all the credit hours earned at the graduate level for the four schools that offer off-campus programs are now earned at locations outside Foggy Bottom. Over a ten-year period, enrollments have risen 79% at off-campus locations, not including the Virginia campus. Contract enrollment has more than doubled, and total credit hours have gone from 23,000 to 41,000. Dean Whitaker said he thought that the decline in credit hours offered from the academic year (AY) 03-04 to the (projected) AY 04-05 could be attributed to the termination of two contracts between SEAS and NASA/Langley, and the NSA. The reduction in credit hours due to termination of these two programs was 620 and 868 respectively. Another reason for the slight decline is a function of classes being moved from what are considered off-campus locations, for example, Virginia Square, to on-campus locations, i.e. the Mount Vernon campus, at which point those enrollments are no longer reported through the CPS. This does not reflect "lost" enrollments, he added. A detailed



breakdown of off-campus credit hours by each participating School is included in Dean Whitaker's Report.

Dean Whitaker commented briefly on enrollments at the Loudoun/Virginia campus, which have not grown in ten years, and in the last five years have actually declined. There are probably many reasons for this, which would include the location of the Loudoun campus and its distance from Foggy Bottom, incentives for faculty, budget models, market issues, limits on cohort size, and classroom space, to name a few. A decision by the Deans (recently endorsed by Vice President Lehman) will move educational programs at the Virginia campus under the umbrella of CPS offerings.

Dean Whitaker then presented a snapshot of off-campus gross revenues by School for the past five years. Even though information on spring revenues is not yet final, Dean Whitaker said it looks as if revenue has increased by some \$594,000 from last year to this, a significant figure, even though part of this increase is attributable to higher tuition. An outline of budget performance from FY '00 through FY '04 was presented which outlines the CPS revenue contribution from off-campus programs after direct program expenses and CPS administrative costs are deducted. This contribution for FY '04 amounted to some \$4.8 million, or 24% of revenue for the year.

Dean Whitaker gave an overview of Program and Budget projections for CPS's own credit programs for the next three years. Presently, three programs have been fully approved and launched. Landscape Design is a graduate certificate offered by the College. Police Science is a customized, interdisciplinary undergraduate program that was co-designed with area police forces. Thirty five students are presently enrolled, and another 25 are expected in September. Because military police are being privatized, CPS may also be able to offer educational programming for that constituent group. A third program is Middle School Math, developed and delivered in association with the American Association for the Advancement of Science (AAAS), which offers a 33 credit hour Master's program enrolling mathematics teachers. Three other programs, Health Care Corporate Compliance, Law Firm Management, and a Master's Degree in Publishing, are on track to receive the requisite approvals and be launched in 2005-06. Other program ideas under consideration or development are detailed on page twelve of Dean Whitaker's report.

Of particular interest is a unanimous recommendation from the CPS Dean's Council that the College develop a new program to award a Doctorate of Professional Studies, which would be an interdisciplinary, customized, all-university doctorate. This proposal was reported to the Council of Deans last week following review by Academic Affairs, and deans are to consult with their faculty so that feedback can be offered to CPS. If such a program is established, it will require endorsement by the Faculty Senate, as the Faculty Code does not authorize CPS to award such a degree. Other proposals mentioned by Dean Whitaker that are under development at various stages of research, review, or CPS Dean's Council approval include a possible Weekend College, a Graduate Certificate in Public Leadership (soon to be presented to the CPS Dean's Council), a Middle School Science program, and a Master's in Professional Studies in Molecular Biotechnology which is in the early stages of development. Other programs under consideration are listed more fully in Dean Whitaker's Report.



Professor Robinson thanked Dean Whitaker for an interesting and stimulating presentation, and asked if the Doctor of Professional Studies degree program would be referred to the Educational Policy Committee of the Senate for review and consideration. Dean Whitaker and Vice President Lehman confirmed that the proposal would require Faculty Senate review, inasmuch as the establishment of this program would require a change in the Faculty Code with respect to degrees which the CPS is authorized to grant.

Professor Griffith asked how many courses offered off campus are taught by current GW faculty. Dean Whitaker said that all are, except Landscape Design, Police Science, and Middle School Math, through the Schools participating in the CPS. The number of students in CPS off-campus programs taught by full-time GW faculty for CCAS is 37%, for GSEHD, 62%, SEAS, 43%, and the SB, 71%.

Vice President Lehman asked Dean Whitaker to comment on regulation of the number of full-time faculty in off-campus programs by the state, and Dean Whitaker responded that regulations have changed recently. In Virginia, regulatory oversight falls under the aegis of the State Council of Higher Education in Richmond. Perhaps in part because GW has more graduates than any private university in Virginia, GW has been given a ten-year exemption to operate without participating in an annual review of its programs. Thus, although a full-time faculty member must be associated with each of the programs, it is no longer necessarily a percentage of sections or students who must be taught by full-time faculty members. Currently, the CPS has one full-time faculty member in the Landscape Design program, and the Dean and Associate Deans have faculty rank. For the most part, faculty who participate in CPS programs are current or emeritus GW faculty employed on a consulting, or percentage-of-effort basis.

Professor Mueller said he found Dean Whitaker's presentation fascinating, particularly as it seems that over a ten year period, GSEHD is the only School which has consistently offered more credit hours each year. However, this has resulted in low teacher-student ratios, and GSEHD is nearing capacity, if not at capacity now. Dean Whitaker explained that the pricing of off-campus programs is set by the Schools, and tuition in off-campus programs is lower than that charged for on-campus programs, even considering the discount rate. Professor Mueller said he thought that GSEHD was a victim of its own success, as it has not kept up with other Schools in terms of additional faculty and other resources. It is academically very hard to defend a situation where faculty members are advising on over twenty dissertations at a time, he added. Dean Whitaker reiterated that such issues, including enrollment targets, are decided by each School. Professor Mueller disputed this statement, saying that the University has overruled GSEHD on decisions of this kind. (Dean Whitaker's Report is attached.)

Professor Cordes offered a correction to the Report of the Ad Hoc Concerned Faculty, where CPS was listed as a casualty along with GW Solutions and the recent incident at the Northern Virginia campus. Professor Cordes said the Report would be revised and this reference to the CPS excised.

RESOLUTIONSRESOLUTION 05/1 "A RESOLUTION TO ENDORSE THE SEXUAL HARASSMENT POLICY AND PROCEDURES OF THE GEORGE WASHINGTON UNIVERSITY"

Professor Ernest J. Englander, Chair of the Committee on Professional Ethics and Academic Freedom Committee (PEAF) announced that Professor Arthur E. Wilmarth, Jr., would introduce Resolution 05/1. Professor Wilmarth introduced a slightly revised version as a substitute for Resolution 05/1 which he said had been amended to reflect minor clarifying changes made by the PEAFC Committee when the Committee reviewed the Policy and Procedures (the Policy). [The PEAFC draft of the Policy was distributed prior to the meeting. ]

Professor Gallo noted that the PEAFC Committee had only a short amount of time to review the Policy, with the result that the Committee was not able to be as thorough as it would have liked, and only four or five Committee members were available to meet and vote to approve the PEAFC draft. Professor Wilmarth agreed that it would have been preferable to have given the PEAFC more time for its review. However, the ad hoc Committee that produced the Policy had worked as expeditiously as possible before forwarding its unanimously approved document to the PEAFC Committee, and the latter Committee reviewed the draft Policy during the examination period. The Board of Trustees had made it very clear that they wished to have the Policy in time for the May Board meeting; thus the need for haste.

Professor Wilmarth said that the ad hoc Committee had struggled with a number of very difficult and challenging issues. The Policy before the Senate was still a three-stage policy as before, with an initial consultative stage, primarily involving the Sexual Harassment Response Coordinator (the Coordinator), followed by an administrative review, and, if requested by the complainant or the responsible University official, a formal hearing. The terms of the Policy regarding the consultative stage of the Policy, (the first informal stage) were non-controversial. At the administrative review stage, either the complainant or the Coordinator can initiate the procedure. A respondent who is accused of sexual harassment must be given sufficient details of the complaint to prepare an informed response. One of the ad hoc Committee's compromises was that, at the end of this administrative review stage, the Coordinator could present findings to the responsible University official, but no sanction greater than a written reprimand could be issued without the respondent's written consent. If the complainant or the responsible University official wanted to seek a more severe sanction, the case would proceed to a formal hearing, at which point the complainant's identity would have to be revealed to the respondent. Professor Wilmarth characterized the formal hearing procedures in the Policy as customary for a fact-finding adjudicative proceeding.

Professor Wilmarth observed that, with the exceptions outlined above, the Policy before the Senate did not differ greatly from Policies previously endorsed by the Senate. He

said that the ad hoc Committee had clarified how the three different stages of the process work together, and the Policy is now more seamless than before.

Professor Wilmarth then summarized clarifications incorporated into the Policy by the PEAFF Committee. The first is that, although the Policy provides that complaints may be made to a number of University officials, each official who receives such a complaint must tell the complainant about the availability of consultation with the Coordinator. Each official is also required to provide a written report of the complaint to the Coordinator. The Coordinator thus becomes the central collection point for all complaints. Another change made by the PEAFF Committee provides that each party must receive from the University written notice of actions taken at each dispositional step of the proceeding, with the exception that the University could treat certain information as confidential if it was required to do so by law. A provision was also added to inform respondents dissatisfied with the receipt of a written reprimand that they could initiate the appropriate grievance procedures. Other than that, Professor Wilmarth said he thought that other changes recommended by PEAFF were minor. Following some discussion of parliamentary matters among Professors Wilmarth, Griffith, Vice President Lehman, and Assistant Dean Johnson (the Parliamentarian), Professor Hirshman, Co-Chair of the ad hoc Committee, spoke about the Policy.

Professor Hirshman said that the ad hoc Committee's review of the Policy was very thorough, and the Committee worked very hard on what was at times a contentious process. In the end, administrators, Faculty Senate representatives, and members of the faculty at large came together and made important compromises. Professor Hirshman added that he thought that it was important that the Senate try not to evaluate any single part of the resulting Policy in isolation, as what the Committee had tried to achieve was to build in checks and balances, so that provisions which seem to favor a particular party at one stage of the complaint process are balanced by provisions at another stage which redress this imbalance.

One item Professor Hirshman mentioned was the Policy's requirement that a six member panel would have to cast at least four votes in favor of a finding of responsibility for a sexual harassment complaint to be considered valid. This clearly protects innocent respondents, he added, but it also tries to achieve a process that is very open to complainants and tries to encourage them to come forward. In addition, it is very easy to move from the consultative procedure to the administrative review procedure; there are almost no barriers. If a complainant does not feel comfortable moving from the administrative review procedure to a formal hearing, a university official, such as a dean, can take the case forward. Thus, the Policy under consideration does not burden complainants personally as much as previously rejected versions would have. The Policy also provides a way to bring information into the process even if the complainant does not feel comfortable going through a formal hearing when, for example, the respondent might be a serial offender.

Professor Ildiko DeAngelis, Co-Chair of the ad hoc Committee, was recognized and spoke briefly about the issue of confidentiality. Earlier versions of the Policy required that a complainant's identity be divulged to respondents at every stage of the proceedings. The

ad hoc Committee thought that it was very important to encourage complainants to come forward, given the unequal power level between, for example, a student and a faculty member, or a lower-paid and more highly-paid employee. Professor DeAngelis said she thought it was extremely important to provide for complainant confidentiality, if desired, at the first and second stages of the process. As a matter of fundamental fairness, at the formal hearing stage, respondents have the right to learn the identity of the complainant. Professor DeAngelis said she also supported the provision in the Policy that allows a special panel to hear and consider evidence of prior offenses when deciding the outcome of a case.

Professor Griffith said he thought that it was an improvement that there is a new provision specifying that faculty unhappy with the outcome of an administrative review could file an administrative grievance with the Faculty Senate. Since this dissatisfaction could occur in the early stages of a case when the identity of the complainant was confidential, Professor Griffith asked if, during such a grievance proceeding, the complainant's identity would be disclosed. Professor Wilmarth said that his best judgment was that the Grievance Committee would not be able to insist that a complainant's name be revealed.

Professor Robinson requested and received the privilege of the floor for Mr. Morgan Corr, a Student Association representative. Mr. Corr asked what the level of student involvement had been in the formulation of the Policy. Vice President Lehman said that two students were appointed to the Committee, and Professor Hirshman confirmed that the student members had been individually contacted and invited to attend meetings of the ad hoc Committee, but they did not do so. Mr. Corr also asked how a case would be handled if it involved a student respondent. Professor Wilmarth said that the Code of Student Conduct governs the formal hearing procedure if both parties are students. In a mixed status group case, where the complainant is a student and the respondent is a faculty or staff member, or the complainant is a faculty or staff member and the respondent is a student, the hearing would be conducted by a special panel as set forth in the Policy.

Professor Barbara D. Miller thanked the ad hoc Committee for their hard work and she requested and received the privilege of the floor for Professor Cynthia Harrison, who recalled that a number of years had been devoted to discussion of a Sexual Harassment Policy for the University. She added that she hoped the present discussion would be the last. After thanking the ad hoc Committee for their work, she said she thought the proposed Policy statement is a very good one. She asked that Senate members keep in mind that the details of such a Policy are crucial, particularly given the terrific power imbalance between students and faculty. Professor Harrison then proceeded to offer four proposed amendments to the Policy.

The first proposed amendment to the Policy would have changed the language in Appendix C.B.1 so that hearing panels would be comprised of five members rather than six, with two panel members drawn from the same status group as the respondent, two from that of the complainant, and the remaining member from among the pool members in the remaining status group. The motion to amend was seconded.

Discussion followed, with Professor Harrison pointing out that every federal court is comprised of odd-numbered panels, and that the advantages of an odd-numbered panel are self evident, in that their decisions offer a clear result instead of the possibility of an evenly divided panel. Professor Wilmarth responded that six person juries are common in many states, and so are juries of twelve persons, and split verdicts are not unusual. Professor Wilmarth also noted that, with three potential status groups from which special panel members would be selected, the result would be an unequal number of panelists from one of the three groups if the University stipulated an odd-numbered panel. Both American University (American) and the University of Pennsylvania (Penn), whose policies were scrutinized as models by the ad hoc Committee, utilize six person panels, he added. Both American and Penn apply a clear and convincing evidence standard for a finding. GW's policy lowers this standard to a preponderance of the evidence, while at the same time requiring at least four affirmative votes for a complaint to be considered valid, as outlined by Professor Hirshman. Professor Harrison spoke in further support of the amendment, observing that a split verdict, or 3 to 3 vote in jury cases results in a re-trial, rather than signaling the end of an inquiry. The question was then called, a vote was taken, and the first amendment failed.

The second proposed amendment to the Policy sought to modify Appendix C.G. 7 so that employees called to appear at a formal hearing would be paid for reasonable time spent while preparing for or appearing at a hearing during working hours, but not for time spent outside of working hours. The amended Policy would then read in pertinent part: "Employees will be paid for reasonable time spent while preparing for or while appearing at a hearing during working hours, but not for other time spent on the complaint ~~during or~~ outside working hours."

The motion was seconded, and Professor Harrison spoke in favor of the amendment, saying she thought the University should not penalize witnesses for appearing at hearings, and should allow employees reasonable preparation time. Professors Griffith and Cordes both spoke in support of the amendment's provisions. The question was called, a vote was taken, and the second amendment was adopted.

The third proposed amendment to the Policy sought to amend Appendix C.H. by adding a new first paragraph that would provide: "The University shall constitute a committee consisting of law faculty willing to advise pro bono either party to a sexual harassment complaint during the formal hearing." Professors Griffith and Wilmarth suggested that the phrase "law faculty" be replaced by "faculty with law degrees," and Professor Harrison accepted this as a friendly amendment. Discussion followed at some length by Professors Simon, Robinson, Cordes, Griffith, Wirtz, Harrison, and Wilmarth on the desirability of providing counsel for complainants and respondents. Vice President Lehman expressed reservations that this might pose a conflict of interest for faculty asked to advise at hearings.

Professor Griffith suggested that a second sentence be added to Appendix C.H.1. providing that "If a pro bono attorney is not available, the University shall provide an attorney-adviser at its expense upon request of a party." Discussion again followed at some length concerning this amendment to the third amendment. Professors Robin and Simon

said that faculty might perhaps not wish to serve pro bono if the alternative was that they would be paid. Professor Garris spoke in favor of this provision. Professor Robinson said she opposed the provision, and said she preferred the Professor Harrison's original amendment. Professors Griffith and Harrison both spoke in support, emphasizing the need for parties to have access to attorney/advisers. The question was called on the amendment to amendment three, a vote was taken and it was adopted. The question was then called on amendment three, as amended, a vote was taken, and the motion to amend was adopted.

Professor Harrison then moved the adoption of a fourth amendment to the Policy, which would allow the University to act on the basis of numerous confidential complaints filed against a faculty member over a period of three years or more, in which case, the University would be able to redact the complaints to maintain the confidentiality of complaining students, even at the formal hearing stage. The motion was seconded and discussion followed at length between Professors Harrison, Garris, Wirtz, and Cordes. Professor Wilmarth said that he thought in any proceeding where a sanction more serious than a reprimand could be issued, respondents had a fundamental due process right to confront the complainant, and he added that the Civil Rights Office of the U.S. Department of Education limits the nature of sanctions that can be imposed by an institution on a respondent if a complainant does not want to be identified. There is a required balance, he added, between protecting the victim, and ensuring the due process rights of an accused. Professor Gallo said that she thought there was some merit in the amendment, and that under some circumstances, the University really should have the right to bring forward a case without requiring that complainants identify themselves, particularly in the case of someone accused of serial harassment. Professor Griffith spoke in opposition to amendment four and the question was called. A vote was taken, and amendment four failed. Professor Harrison again thanked the Senate for its attention.

Professor Wirtz said he was concerned about the method outlined in Appendix C.B.1. of the Policy for selecting faculty members for the special panels, which provides that "panelists will be selected from a pool of eighteen, six of whom are faculty members appointed by the Vice President for Academic Affairs, with the concurrence of the Council of Deans and the Faculty Senate Executive Committee. If the concurrence does not occur within 30 days, the Executive Vice President for Academic Affairs shall select the faculty panel members." Professor Wilmarth said that he agreed with Professor Wirtz that the process needed to be changed, and he had raised this issue before the ad hoc Committee to no avail. Professor Wilmarth moved that the language be changed so that if concurrence does not occur within 30 days, the Executive Vice President for Academic Affairs would select three of the faculty panel members, and the Faculty Senate Executive Committee would select the three remaining faculty panel members. The motion was seconded, and a short discussion between Professors Wilmarth, Wirtz, and Vice President Lehman ensued. Professor Cordes offered a friendly amendment to the motion which would provide that both the Executive Vice President for Academic Affairs and the Council of Deans would select three faculty panel members, and the Executive Committee would select the remaining three. Professor Wilmarth accepted the amendment. The question was called, and Section C.B.1. of the Policy was amended.

Following these discussions, Substitute Resolution 05/1 and the Policy as amended by the PEAFC Committee, as further amended at the Senate's May 13<sup>th</sup> meeting, was adopted. (Substitute Resolution 05/1 and the Policy incorporating all amendments approved by the PEAFC Committee and the Senate are attached.)

**UPDATE ON THE JOINT TASK FORCE ON CLASSROOM SCHEDULING AND AVAILABILITY OF CLASSROOMS**

Professor Linda L. Gallo, Chair of the Senate Physical Facilities Committee, and an appointee to the Joint Faculty-Administrative Task Force, on Classroom Availability and Scheduling, briefed the Senate on the work of the Task Force as follows:

I will paraphrase the executive summary of the full Task Force report on the classroom shortage question. That report is in its final stages of preparation and will be submitted to Vice President Lehman and will be available to the faculty.

Well known to most of you -- in November the Senate requested a high-level review of both the recent classroom shortage and plans to remedy the situation. A group of faculty from relevant Senate committees (including Professors Cordes, Griffith, E. Robinson, Simon, Youens and myself) and administrators (including Professor Folkerts who Chaired) was convened:

- To review the registration process for the 2004-2005 academic year—a year in which there were a large number of homeless classes, and
- To project the number of course sections and classrooms needed for the next 3-5 years.

The Task Force was able to address effectively the registration process but was unable to draw a conclusion on the long-term adequacy of the present and planned classrooms.

With regard to the registration process, the Task Force concluded that very serious problems exist. Some of these problems are due to inefficiencies in the Registrar's/Scheduling Office itself and others are due to scheduling behaviors of schools, departments, and faculty. To solve these scheduling problems the Task Force recommends the following major changes. These are all solutions to problems, and once I give you the solutions, it will be clear to you what the problems are:

- The use by the Scheduling Office of class scheduling software to its fullest potential. The software has the capability to schedule classes into rooms with appropriate space and technology. This reduces the need for inefficient manual scheduling;



- The addition of trained staff to the Scheduling Office; it's quite clear they are understaffed;
- The implementation of centralized scheduling, to be fully implemented by Fall '06. Centralized scheduling eliminates classroom scheduling by schedulers in the Schools;
- The assignment of an Assistant or Associate Dean in each School to oversee compliance with scheduling guidelines. This oversight would include the scheduling of the correct number of classes, their caps, their requirements for special room features, and compliance with timebands.
- The assignment of authority to the Scheduling Office to adjust room assignments to better match actual class size once registration begins. This eliminates negotiating room assignments among professors, which has been the common practice.

The Task Force has made several other less major recommendations that you will find in the full report.

With regard to the adequacy of the classroom inventory, a final determination of whether enough general purpose classrooms of appropriate size exist to sustain the University's planned growth during the next 5 years cannot be made until the scheduling process is revised and it is determined to what extent it contributed to the homeless class situation that led to this study. Despite our inability to answer this specific question, the Task Force recognizes and reinforces the need for specialized teaching space e.g., such as that required by the sciences. Also, the reduction of classrooms in the short-term, caused by building renovation occurring in '06 and spring '07, must be solved. The Task Force recommends that 10 classrooms be acquired to compensate for this loss. These might be acquired e.g., from the Marvin Center, the Medical School, the Law School or other non-academic University spaces on a temporary basis.

When all classrooms are back on-line and class scheduling inefficiencies corrected, the Task Force recommends in the strongest terms that the long-term adequacy of classroom space be reevaluated. Included in this evaluation should be an assessment of how early classes close (in 2002 half of all undergraduate sections closed before classes began). Also to be considered in this evaluation is the effectiveness of current timebands. The Task Force recommends that an ongoing university-wide committee regularly evaluate classroom space in relation to pedagogical directions and planned building projects.

The Task Force also noted that some strategies that are not solutions to the classroom shortage include cancelling classes, increasing class size, making classes or registration unavailable to any of our constituencies, and otherwise reducing the quality of instruction.

Professor Cordes said he thought that everyone agreed that the University ought to assess whether or not it was using the classroom inventory as efficiently as possible. But that examination leads directly to the issue of adequate resources, and this is an example of the types of pressure points that the faculty perceive, even if the President doesn't.

In view of the lateness of the hour, and the impending unavailability of the meeting room, Professor Griffith suggested that Professor Robinson might wish to consider moving the adoption of all nominations under General Business at one time. Because Professor Vlach had been waiting patiently for quite some time in order to read the tribute to Professor Mergen under item IX., Professor Robinson moved that the order of the agenda be changed so that Tributes to Retiring Faculty could be heard as the next item of business, followed by consideration of General Business items as Professor Griffith had suggested. The motion was seconded and passed.

#### GENERAL BUSINESS

##### IX. TRIBUTES TO RETIRING FACULTY

Professor John M. Vlach of the American Studies Department read a tribute to Professor Bernard Mergen. (The tribute is attached.)

Professor Arthur E. Wilmarth, Jr. of the Law School read a tribute to Professor Gerald P. Johnston. (The tribute is attached.)

##### I. APPROVAL OF DATES FOR REGULAR SENATE MEETINGS IN THE 2005-06 SESSION

Professor Robinson asked for approval of the dates for the regular meetings of the Faculty Senate for the 2005-06 Session. The following dates were approved: May 13, 2005, September 9, 2005, October 14, 2005, November 11, 2005, December 9, 2005, January 20, 2006, February 10, 2006, March 10, 2006, and April 14, 2006.

##### II. NOMINATION FOR APPOINTMENT BY THE PRESIDENT OF THE FACULTY SENATE PARLIAMENTARIAN FOR THE 2005-06 SESSION

Professor Robinson moved the nomination for appointment by the President of Assistant Dean David M. Johnson (GWLS) as Parliamentarian for the 2005-06 Session. The nomination of Assistant Dean Johnson was approved.

##### III. NOMINEES FOR ELECTION OF CHAIRS AND MEMBERS OF FACULTY SENATE STANDING COMMITTEES FOR THE 2005-06 SESSION

Professor Robinson moved the nominations for election of Chairs and members of Senate Standing Committees for the 2005-06 Session. The nominations were approved. (The Committee list is attached.)

IV. NOMINATION FOR APPOINTMENT BY THE PRESIDENT TO THE FOLLOWING ADMINISTRATIVE COMMITTEES

Professor Robinson moved the nominations for appointment by the President to the following Administrative Committee: Joint Committee of Faculty and Students: Sylvia A. Marotta, Faculty Co-Chair; Maria Cseh, Mamoon Hammad, Meta D. Jones, Stephen McGraw, and Phyllis Ryder. The nominations were approved.

V. NOMINATION FOR APPOINTMENT BY THE BOARD OF TRUSTEES TO TRUSTEES' COMMITTEES

Professor Robinson moved the nominations for appointment by the Board of Trustees to the following Committees: Trustees' Committee on Academic Affairs: Lilien F. Robinson; Trustees' Committee on Student Affairs: Sylvia A. Marotta; Trustees' Committee on External Affairs: Lisa Benton-Short; Trustees' Committee on Infrastructure and Information Technology: Philip W. Wirtz. The nominations were approved.

VI. NOMINATION FOR ELECTION BY THE FACULTY SENATE TO THE STUDENT GRIEVANCE REVIEW COMMITTEE

Professor Robinson moved the nominations for election of the following faculty to the Student Grievance Review Committee: Mary Beth Bigley, Jeffrey Brand-Ballard, Katherine Goodrich, Susan LaLecheur, Patrick McHugh, Mark Mullen, Margaret Plack, Thomas Quasney, and Edward Robinson. The nominations were approved.

VII. REPORT OF THE EXECUTIVE COMMITTEE

Again, in view of the lateness of the hour, Professor Robinson submitted the Report of the Executive Committee, to be included with the Senate meeting minutes, rather than reading it aloud. (The Report is enclosed.)

Professor Robinson then thanked Professor Scott B. Pagel for his service over many years as Parliamentarian and she welcomed David M. Johnson as the new Parliamentarian.

VIII. ANNUAL REPORTS OF SENATE STANDING COMMITTEES

Annual Reports were received from the following Senate Standing Committees: Admissions Policy, Student Financial Aid, and Enrollment Management; Educational Policy Committee; Fiscal Planning and Budgeting; Honors and Academic Convocations; Physical Facilities; and University and Urban Affairs. (The Reports are attached.)

BRIEF STATEMENTS (AND QUESTIONS)

There were no brief statements or questions.

ADJOURNMENT

There being no further business before the Senate, a motion to adjourn was made and seconded. The meeting was adjourned at 5:50 p.m.

*Elizabeth A. Amundson*

Elizabeth A. Amundson

Secretary

THE GEORGE WASHINGTON UNIVERSITY  
WASHINGTON DC

May 13, 2005

On March 5, 2005, the University lost a cherished member of our community: Charles R. Naeser, Professor Emeritus of Chemistry, succumbed to congestive heart failure at the age of 94.

A native of Mineral Point, Wisconsin, Professor Naeser graduated from the University of Wisconsin and earned his doctorate from the University of Illinois in 1935.

Professor Naeser joined the George Washington University Department of Chemistry in 1935, where he served for 41 years (as Chairman for 23 years), specializing in introductory general chemistry and advanced inorganic chemistry. After years of teaching how to perform chemistry experiments in freshmen chemistry labs, he penned Naeser's Law which is seen today in many calendars: "You can make it foolproof, but you can't make it damned foolproof." Who among those of us who were fortunate enough to take his Introductory Chemistry course could possibly forget his humorous Christmas and Halloween lectures (in which he used the elements of "Earth, Wind, Fire and Water" to his advantage and brewed up thermite reactions, chromate volcanoes, hydrogen-fueled air transport, and solutions showing holiday colors); or the renowned "Helium Lecture," where he demonstrated the properties of helium by sucking the gas from a balloon and delivering the rest of the lecture in a voice which bore an uncanny resemblance to Daffy Duck. He was a truly inspired and gifted instructor, for which he was recognized as the recipient of the Washington Academy of Sciences' highest teaching award.

A Fellow of the American Association for the Advancement of Science and the American Institute of Chemists, he served as President of the Chemical Society of Washington, was listed in "Who's Who in America," and was a widely published and widely cited author in Chemistry. From 1942 to 1945 he served as a Captain in the U.S. Army Chemical Warfare Service and was the Scientific Advisor to the Headquarters, European Command, in Heidelberg, Germany from 1950 to 1951.

Charles Naeser was a Charter member of the Faculty Senate, on which he served for 11 years. He served as Chair of the Senate Committee on Faculty Performance from 1962 to 1966, on the Faculty Performance and Development Committee from 1966 to 1971, and on the Senate Committee on Professional Ethics and Academic Freedom during the 1970s. He was the recipient of the Senate's very first "Distinguished Service Award" in 1967.

Professor Charles Naeser was a scholar's scholar: teacher extraordinaire, widely-respected researcher, and active participant in innumerable public and University service activities. Let the record show that the University in general, and the Faculty Senate in particular, has lost a very dear friend.

Michael King  
Chair and Professor of Chemistry

A RESOLUTION ON FACULTY AND STAFF COMPENSATION INCREASES AND  
COMPENSATION POLICY (05/2)

- Whereas, Article IX of the Faculty Code states that "The regular, active-status faculty shares with the officers of the administration the responsibility for the effective operation of the departments and schools of the University as a whole...[and] participates in the formulation of policy and planning decisions affecting the quality of education and life at the University"; and
- Whereas, the quality of education and life at the University is inextricably linked to the quality of the faculty and staff which form its core, and compensation policy is crucial to maintaining that quality; and
- Whereas, in recognition of this link between personnel and University quality, the administration has repeatedly expressed support for Faculty Senate Resolution 87/1, which calls for the University to "make annual increments to faculty salaries designed to achieve as soon as possible, and to maintain, for all ranks ... [the] 80<sup>th</sup> percentile" and "for all ranks in each school and college no less than ... [the] 60<sup>th</sup> percentile" on the American Association of University Professors' scale for Category I institutions; and
- Whereas, the May 9, 2005 presentation by the Executive Vice President and Treasurer has clearly demonstrated that the University has fallen unacceptably behind in this commitment for most of the academic ranks; and
- Whereas, the University faculty has been largely excluded from any of the planning decisions that have led to the University's current financial circumstances ~~this unfortunate set of circumstances~~; including, among other factors:
- a) rapid increases in the University's total debt and debt-to-endowment ratio;
  - b) rapid growth in the University's enrollment without corresponding increases in its full-time faculty or its classroom inventory;
  - c) heavy reliance on tuition revenues due to endowment management performance and fundraising efforts that have lagged behind many of the University's peer institutions; and
- Whereas, at the May 9, 2005, special Senate meeting, faculty and staff were presented with a proposal which seeks to (1) defer their compensation increase by six months – for the 3<sup>rd</sup> time – and (2) change the date on which salary increases are awarded to a calendar-year rather than an academic-year basis; and
- Whereas, the administration's justification for the salary deferral is based on questionable assumptions; and
- Whereas, the Faculty Senate is not persuaded by the administration's position that the University's fiscal situation does not permit an allocation of an additional \$2.2 million to compensate faculty and staff at a 4% annual level, rather than the proposed 3%, given an over-all University budget of approximately \$400 million; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON  
UNIVERSITY

1. That the Faculty Senate Committee on Fiscal Planning and Budgeting and the administration jointly develop, for presentation to the Senate no later than the December, 2005, Senate meeting, a three-year plan for attaining the 80<sup>th</sup> percentile goal (and for ensuring that each school is above the 60<sup>th</sup> percentile), with semi-annual reports to the Faculty Senate which are to specify (1) progress toward attaining those objectives, and (2) the expected average faculty and staff salary increases for the upcoming academic year; and
2. That the University administration be directed to be more transparent, on an ongoing basis, with the Fiscal Planning and Budgeting Committee with regard to the University's fiscal situation to ensure that the faculty is not presented with subsequent fiscal deficits for which they and the staff will be expected to sacrifice without having been involved in the fiscal planning; and
3. That the Board of Trustees be requested to invite the Chair of the Senate Committee on Fiscal Planning and Budgeting to serve as an ex-officio, non-voting member of the Board of Trustees Committee on Finance & Audit; and
4. That the Faculty Senate unequivocally *opposes* any compensation plan that would defer annual salary increases for staff and faculty, regardless of the questionable possibility that greater increases might accrue to some individuals in the long-term ; and
5. That the Faculty Senate recommends an average compensation increase of no less than 4%, effective July 1, 2005.

Executive Committee of the Faculty Senate  
May 12, 2005

Adopted, as amended, May 13, 2005





THE GEORGE WASHINGTON UNIVERSITY  
THE COLLEGE OF  
PROFESSIONAL STUDIES

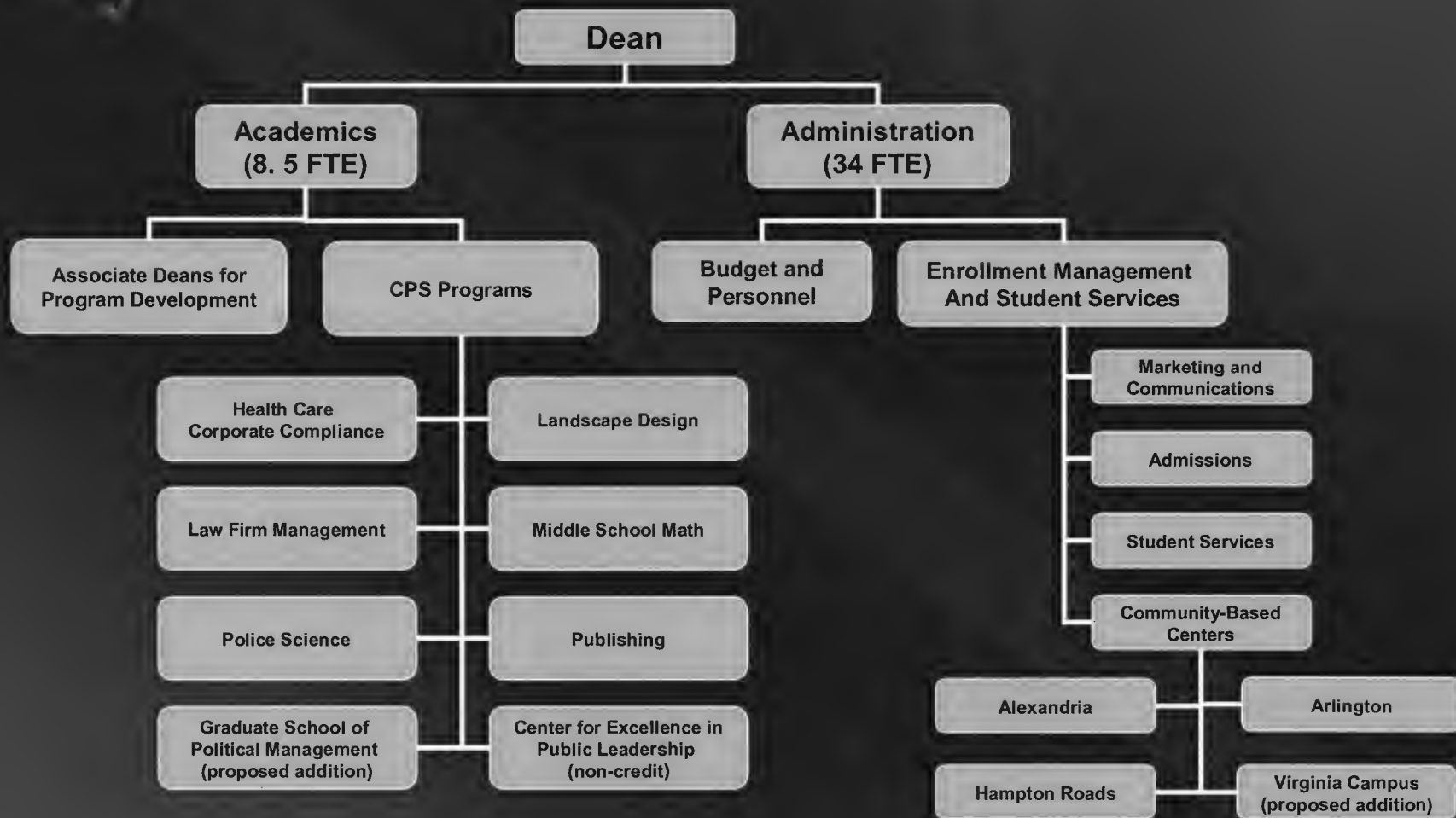
# College of Professional Studies

Presentation to the  
Faculty Senate

May 13, 2005



# College of Professional Studies as of May 2005 (42.5 FTE)



# Off-Campus & Virginia Campus Programs

		DC				VA						DL		Contract											
School and Program	Degree	K St	Hall of States	Shakespeare Theatre	DC	HRC	Chesapeake	VA Beach	Richmond	Alexandria	Arlington	Virginia Campus	Distance	US Air Force	US Navy	Bogazici U.	LMC	SAIC	Orbital	NGA	NSWC	Singapore	Taiwan Air Force	College of Jewish Studies	Grants / Other
College of Professional Studies (CPS)																									
Healthcare Corporate Compliance	Grad Certificate									X			X												
Landscape Design	Grad Certificate	X																							
Law Firm Management	Grad Certificate									X			X												
Middle School Mathematics - Partnership with AAAS	MPS																								X
Police Science	Undergrad Certs; BPS				X																				
Publishing	MPS	Location TBD																							
Columbian College of Arts and Sciences (CCAS)																									
Classical Acting	MFA			X																					
Forensic Sciences	MFS										X														
High Tech Crime Investig/Security Management											X														
Human Resources Management	MA										X														
Leadership Coaching	Grad Certificate										X														
Legislative Affairs	MA		X																						
Organizational Management	MA										X			X	X										
PACs and Political Management	Grad Certificate		X																						
Survey Design & Data Analysis	Grad Certificate									X															
School of Business (SB)																									
Accelerated MBA	MBA									X		X						X							
Accelerated Master of Tourism Administration	MTA										X		X												
Information Systems Technology	MS IST										X	X													
Information Systems, Executive MS	MS IST											X													
Project Management	MS PM												X												

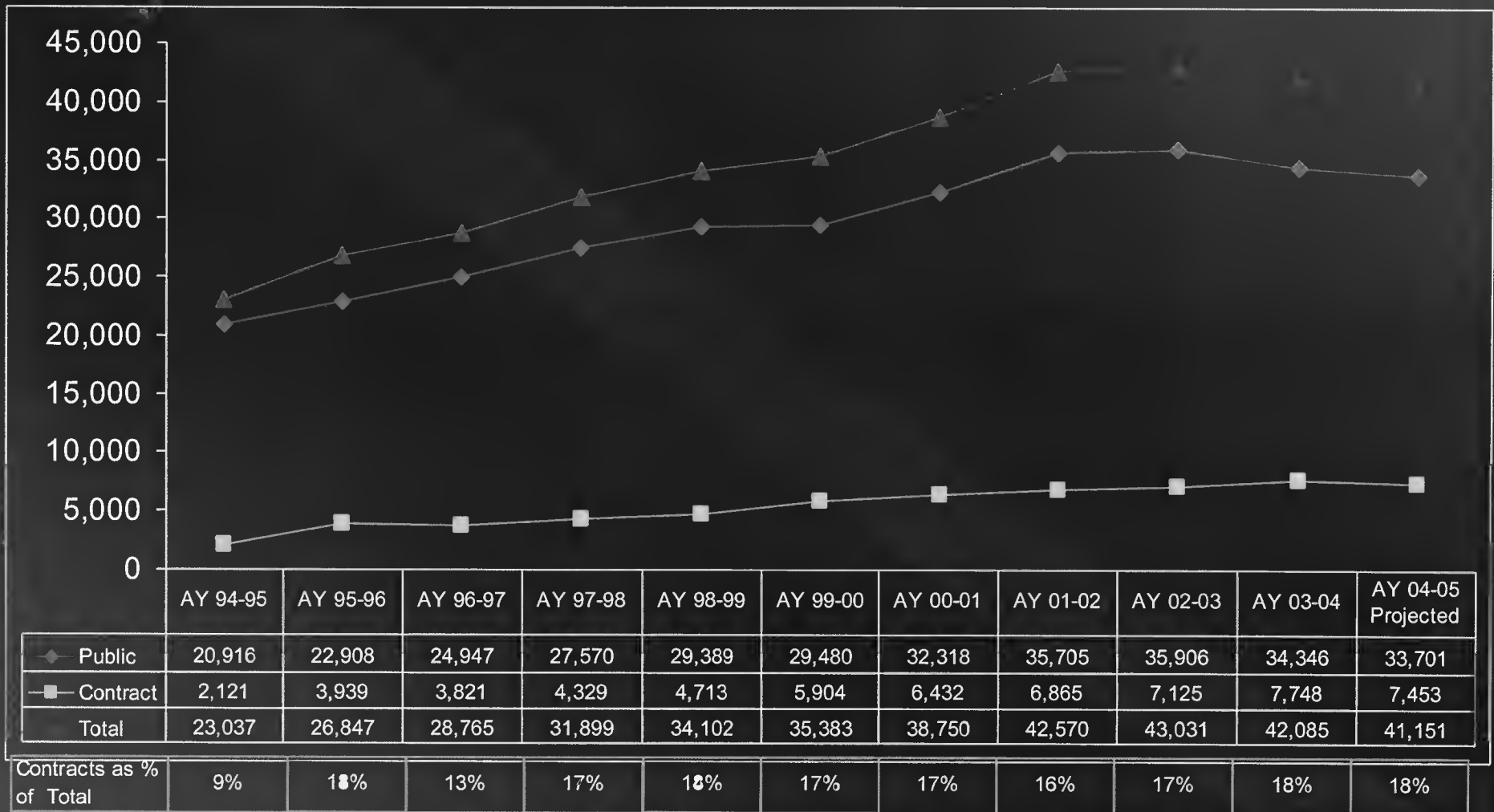
# Off-Campus & Virginia Campus Programs

		DC				VA						DL		Contract											
School and Program	Degree	K St	Hall of States	Shakespeare Theatre	DC	HRC	Chesapeake	VA Beach	Richmond	Alexandria	Arlington	Virginia Campus	Distance	US Air Force	US Navy	Bogazici U.	LMC	SAIC	Orbital	NGA	NSWC	Singapore	Taiwan Air Force	College of Jewish Studies	Grants / Other
Graduate School of Education and Human Development (GSEHD)																									
Educational Administration and Policy Studies	EdD					X				X															
Educational Leadership and Administration	MA Ed&HD; EdS					X	X	X	X	X															
Educational Technology Leadership	MA Ed&HD												X												
Higher Education Administration	EdD					X						X													
Human Resource Development	EdD											X										X			
Human Resource Development	MA Ed&HD					X			X	X												X			
Leadership Development	Grad Certificate					X			X																
School Counseling	MA Ed&HD									X															
Secondary Education - Preparation for Initial Teaching	MEd										X	X													
Various grant and contract programs offered through ORS.																									X
School of Engineering and Applied Science (SEAS)																									
Aviation Safety & Security	Certificate											X													
Computer Science	MS											X													
Computer Security & Information Assurance	Grad Certificate											X													
Electrical & Computer Engineering	MS; DSc											X				X									
Engineering Management	MS; MEM									X	X												X		
Engineering Management	MEM					X																			
Engineering and Technology Management	Grad Certificate								X	X											X				
Homeland Security Emergency Prep. Response*	Grad Certificate										X														
Information Security Management	Grad Certificate									X															
Knowledge Management	Grad Certificate										X						X								
Systems Engineering	DSc										X														
Systems Engineering	MS											X					X	X	X	X	X		X		
Systems Engineering	Grad Certificate																X	X	X	X	X				
Telecommunications and Computers	MS											X				X									
Telecommunications Networks	Grad Certificate											X													
Wireless and Mobile Networks	Grad Certificate											X													
*Formerly Crisis and Emergency Management																									

\*Formerly Crisis and Emergency Management

# Off-Campus\*

Credit hours by Academic Year



\* Does not include the Virginia Campus which is administered separately



# Off-Campus\*

## Credit hours by School

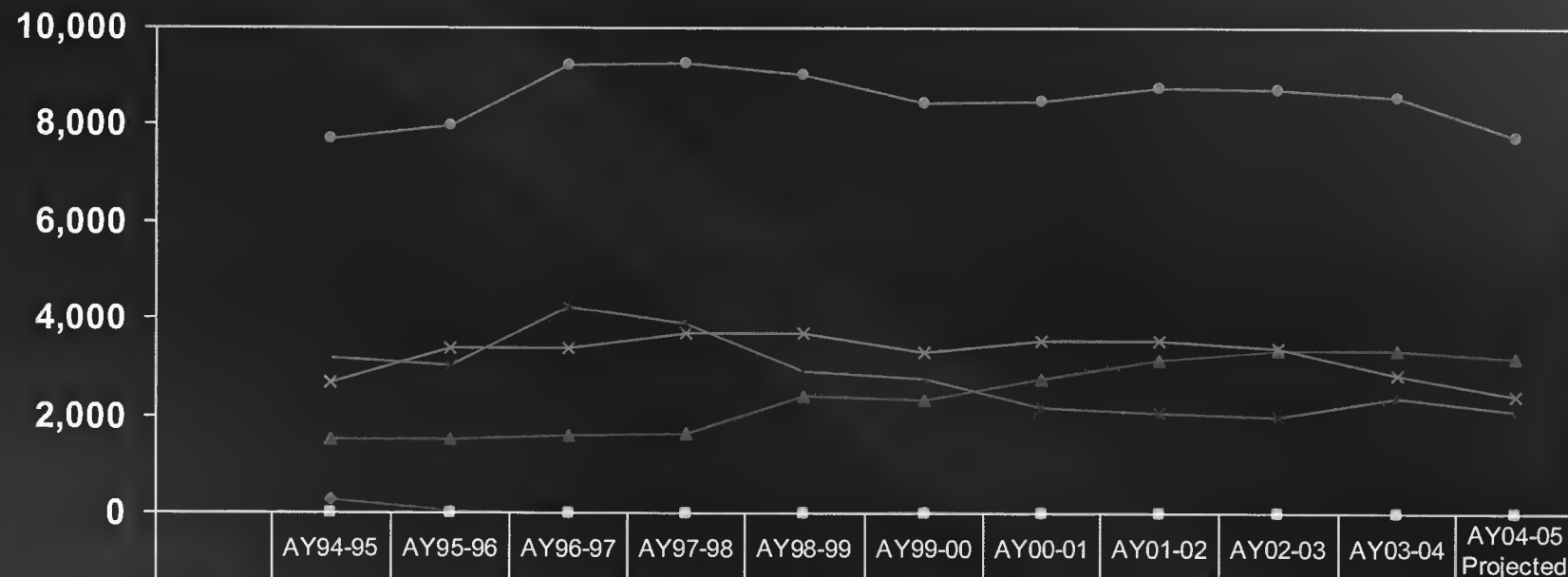


\*Does not include the Virginia Campus which is administered separately



# Virginia Campus\*

## Credit Hours by School



\*Administered separately from off-campus programs






# Off-Campus Gross Revenues by School\*

## FY00 to FY04

	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>
<b>School</b>					
CCAS	3,057,366	2,865,262	3,671,217	3,430,381	3,342,433
GSEHD	4,569,257	4,806,675	5,986,831	6,257,393	6,475,326
SBPM	5,064,374	4,857,389	5,293,065	5,325,875	5,308,831
SEAS	3,142,380	4,299,860	4,037,431	3,992,646	3,994,582
Auxiliary revenue	7,400	6,485	4,400	146,138	393,354
CPS	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>317.175</u>
<b>Total</b>	<b>15,840,777</b>	<b>16,835,671</b>	<b>18,992,944</b>	<b>19,152,433</b>	<b>19,831,701</b>

\* Does not include the Virginia Campus which is administered separately



# Off-Campus Programs\*

## Budget Performance

### FY00 to FY04

	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>
Gross revenue	15,840,777	16,835,671	18,992,944	19,152,433	19,831,701
Direct program expenses	7,164,424	7,710,165	8,789,981	9,405,866	9,864,491
Off-Campus/CPS Administrative costs	<u>3,560,865</u>	<u>3,849,671</u>	<u>5,118,668</u>	<u>5,130,272</u>	<u>5,154,916</u>
<b>Contribution</b>	<b>5,115,488</b>	<b>5,275,835</b>	<b>5,084,295</b>	<b>4,616,295</b>	<b>4,812,294</b>
Contribution as % of Revenue	32%	31%	27%	24%	24%

\* Does not include the Virginia Campus which is administered separately



# College of Professional Studies

## Programs and Budget Projections

For programs approved as of May 2005

2003-04	2004-05	2005-06	2006-07/2007-08
Landscape Design	Landscape Design	Landscape Design	Landscape Design
	Police Science	Police Science	Police Science
	Middle School Math (1/2 year)	Middle School Math	Middle School Math
		Health Care Corporate Compliance	Health Care Corporate Compliance
		Law Firm Management	Law Firm Management
		Publishing (1/2 year)	Publishing

### Budget Projections

	<u>2003-04</u>	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>	<u>Total</u>
Revenue	317,175	670,530	1,639,735	1,924,312	2,055,243	6,289,820
Direct Costs	<u>199,882</u>	<u>445,121</u>	<u>1,034,743</u>	<u>1,097,915</u>	<u>1,174,773</u>	<u>3,752,552</u>
Contribution	117,293	225,409	604,992	826,397	880,469	2,537,268
Contrib/Rev	37%	34%	37%	43%	43%	40%



# College of Professional Studies

## Current Programs

Program	Partnering Organization	Student Enrollment
Landscape Design Graduate Certificate	Virginia Tech College of Architecture and Urban Studies	Fall 2003 = 84 students Fall 2004 = 131 students
Police Science Undergraduate Certificates, Bachelor of Professional Studies	Metro area police	Fall 2004 = 35 students
Middle School Math Master of Professional Studies	American Association for the Advancement of Science (AAAS)	Spring 2005 = 20 students
Law Firm Management Graduate Certificate	Hildebrandt Institute	Summer 2005 Target 20 students
Healthcare Corporate Compliance Graduate Certificate	School of Public Health and Health Services and select DC law firms	Fall 2005 Target 25 students
Publishing Master of Professional Studies	Library of Congress	Spring 2006 Target 20 students



# College of Professional Studies

## Future Program Ideas

Program	Partnering Organization	Status
Weekend College Bachelor of Professional Studies Adult degree completion program		Proposal presented to CPS Dean's Council, requires further market research
Doctor of Professional Studies		Approved by CPS Dean's Council, under further review
Graduate Certificate in Public Leadership	Center for Excellence in Public Leadership and GW SPPPA	Proposal being drafted, due to be presented in May to CPS Dean's Council
Leadership & Management in Professional Service Undergraduate Professional Studies Certificates and Degrees	DC Hospitality Industry & GW School of Business	Proposal under review
Molecular Biotechnology Master of Professional Studies	CGS/Sloan Foundation grant	\$25,000 awarded for a period of two-years to conduct market research on viability of program
Middle School Science Master of Professional Studies	American Association for the Advancement of Science (AAAS), GW CCAS departments & GSEHD	Grant written by AAAS currently under review by Department of Education

## **SUBSTITUTE RESOLUTION 05/1**

### **A RESOLUTION TO ENDORSE THE SEXUAL HARASSMENT POLICY AND PROCEDURES OF THE GEORGE WASHINGTON UNIVERSITY (05/1)**

**WHEREAS**, in Resolution 04/3, adopted on November 12, 2004, the Faculty Senate endorsed the reinstatement of the Interim Policy and Procedures Governing Sexual Harassment Complaints, as originally adopted by the Faculty Senate in Resolution 98/5, with certain further amendments; and

**WHEREAS**, Resolution 04/3 also provided that (i) the Faculty Senate and the University Administration would create a joint ad hoc committee charged with the mission of preparing a proposed new policy and procedures governing sexual harassment complaints; and (ii) the ad hoc committee's proposed new policy and procedures would be reported to the Faculty Senate's Committee on Professional Ethics and Academic Freedom ("PEAF Committee") for its expeditious review and, following such review, would be referred to the Faculty Senate with the PEAF Committee's comments and recommendations; and

**WHEREAS**, in accordance with Resolution 04/3, the Faculty Senate and the University Administration created an ad hoc University Committee on Sexual Harassment Policy (the "Ad Hoc University Committee"), and, on April 19, 2005, the Ad Hoc University Committee unanimously proposed a document entitled "Sexual Harassment Policy and Procedures" for adoption by the University (the "Ad Hoc Committee Proposal"); and

**WHEREAS**, at its most recent meeting in February 2005, the University's Board of Trustees requested that the Faculty Senate endorse, if possible, a new policy and procedures governing sexual harassment complaints for consideration by the Board of Trustees during its meeting on May 19-20, 2005; and

**WHEREAS**, the PEAF Committee has reviewed the Ad Hoc Committee Proposal and recommends certain clarifying amendments as indicated on the marked copy of the document attached hereto: and

**WHEREAS**, after reviewing the Ad Hoc Committee Proposal, the Faculty Senate has determined that the proposed new Sexual Harassment Policy and Procedures satisfy the following important objectives: (i) prohibiting sexual harassment by any student, staff member, faculty member, or other person in the University community, (ii) encouraging reporting of sexual harassment before it becomes severe or pervasive, (iii) identifying persons in the University Administration to whom incidents of sexual harassment may be reported, (iv) prohibiting retaliation against persons who bring sexual harassment complaints, (v) assuring confidentiality to the full extent consistent with the need to resolve complaints of sexual harassment appropriately and fairly, (vi) assuring that allegations of sexual harassment will be promptly, thoroughly and impartially addressed

with appropriate regard for the interests of the persons involved and principles of fairness and due process, and (vii) providing for appropriate corrective action to be taken against persons who have engaged in sexual harassment;

**NOW, THEREFORE, BE IT RESOLVED BY THE FACULTY SENATE  
OF THE GEORGE WASHINGTON UNIVERSITY:**

That the Faculty Senate hereby endorses, for adoption by the University, the "Sexual Harassment Policy and Procedures" as unanimously proposed by the University Committee on Sexual Harassment Policy on April 19, 2005, with the additional clarifying amendments shown on the marked copy of the proposed document attached to this Resolution.

Faculty Senate Committee on Professional Ethics and Academic Freedom  
May 10, 2005

Adopted, with the underlying Policy as amended, May 13, 2005



THIS DOCUMENT, AS FURTHER AMENDED BY THE FACULTY SENATE AT ITS MEETING ON MAY 13, 2005, WAS ENDORSED PURSUANT TO SUBSTITUTE RESOLUTION 05/1.

PEAF Committee Comments 5/10/05

### SEXUAL HARASSMENT POLICY AND PROCEDURES

As unanimously adopted by the University Committee on Sexual Harassment Policy on  
April 19, 2005

#### First principles of this policy

The George Washington University is committed to maintaining a positive climate for study and work, in which individuals are judged solely on relevant factors, such as ability and performance, and can pursue their activities in an atmosphere that is free from coercion and intimidation. The University mission statement provides that the University "values a dynamic, student-focused community stimulated by cultural and intellectual diversity and built upon a foundation of integrity, creativity, and openness to exploration of new ideas." The University is committed to free inquiry, free expression, and the vigorous discussion and debate on which advancement of its mission depends. Sexual harassment is destructive of such a climate and will not be tolerated in the University community.

#### Objectives

This policy and these procedures aim to inform members of the University community what sexual harassment is and what they can do should they encounter or observe it. The University prohibits sexual harassment by any student, staff member, faculty member, and others in the University community; encourages reporting of sexual harassment before it becomes severe or pervasive; identifies accessible persons to whom sexual harassment may be reported; prohibits retaliation against persons who bring sexual harassment complaints; assures confidentiality to the full extent consistent with the need to resolve the matter appropriately; assures that allegations will be promptly, thoroughly, and impartially addressed; and provides for appropriate corrective action.

The ultimate goal is to prevent sexual harassment, through education and the continuing development of a sense of community. But if sexual harassment occurs, the University will respond firmly and fairly. As befits an academic community, the University's approach is to consider problems within an informal framework when appropriate, but to make formal procedures available for use when necessary.

### What sexual harassment is

The University has adopted the following definition of sexual harassment, substantially derived from Equal Employment Opportunity Commission and Department of Education statements:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is explicitly or implicitly made a term or condition of academic participation or activity, educational advancement, or employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions that affect the individual; (3) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or limiting participation in University programs; or (4) the intent or effect of such conduct is to create an intimidating, hostile, or offensive academic or work environment. Sexual harassment may occur without regard to either party's gender.

This policy addresses only sexual harassment and does not deal with other forms of gender discrimination. For other University policies dealing with gender discrimination, consult The George Washington University Office of Equal Employment Opportunity.

Nothing in this policy limits academic freedom, guaranteed by the Faculty Code, which is a pre-eminent value of the University. This policy shall not be interpreted to abridge academic freedom. Accordingly, in an academic setting expression that is reasonably designed or reasonably intended to contribute to academic inquiry, education or debate on issues of public concern shall not be construed as sexual harassment.

A person who commits sexual harassment in violation of this policy will be subject to disciplinary action, up to and including expulsion or termination.

### Prevention; dissemination of information

The University is committed to preventing and remedying sexual harassment of students, faculty, and staff. To that end, this policy and these procedures will be disseminated in the University community. In addition, the University will sponsor programs to inform students, faculty, and staff about sexual harassment and the problems it causes; advise members of the University community of their rights and responsibilities under this policy and these procedures; and train personnel responsible for the administration of the policy and procedures. In particular, the University shall assure that the Sexual Harassment Response Coordinator (in the Office of the Vice President and General Counsel) who is

designated by the University to conduct the consultation and the administrative review processes described below and other personnel involved in responding to allegations of sexual harassment receive formal training by one or more individuals with appropriate expertise.

### Consensual relationships

Relationships that are welcomed by the parties do not entail sexual harassment, and are beyond the scope of this policy. Whether a relationship is in fact welcomed will be gauged according to the circumstances; special risks are involved when one party -- whether a faculty member, staff member or student -- is in a position to evaluate or exercise authority over the other. It is inappropriate for a faculty member or teaching assistant to have sexual relationships with a student who is currently in his/her course or is subject to his/her supervision or evaluation. It is similarly inappropriate for someone in a supervisory position to have a sexual relationship with an individual in a subordinate position. Even when both parties previously consented to a sexual relationship, a charge of sexual harassment may be based on subsequent conduct that one of them does not welcome. Members of the University community are cautioned that consensual relationships can in some circumstances entail abuse of authority, conflict of interest, or other adverse consequences that may be addressed in accordance with pertinent University policy and practice.

### What to do

Three possible levels of procedural redress are available to members of the University community who believe that sexual harassment has occurred -- consultation, administrative review, and formal hearing. Often, concerns can be resolved through consultation or after administrative review. If the matter is not satisfactorily resolved through the consultation or administrative review procedure, a formal hearing may be initiated.

### Consultation

A member of the University community who is uncomfortable with one or more instances of conduct of a sexual nature that may be inappropriate (even if the person is unsure whether the conduct constitutes sexual harassment), may discuss the matter with the person who has engaged in the behavior or with his or her department chair, dean or staff supervisor; the Associate Vice President and Dean of Students; the Director of the Office of Equal Employment Activities; the Assistant Vice President for Faculty Recruitment and Personnel Relations; or the Sexual Harassment Response Coordinator ("Coordinator") who shall be consulted when appropriate by any of the foregoing persons. Any of the foregoing University officials who receives a report of possible sexual harassment shall advise the reporting person of the availability of consultation with the Coordinator, and shall provide a written account of the report to the Coordinator. (See "Confidentiality" paragraph below.) In response to a request for consultation, the

Coordinator will provide a copy of the sexual harassment policy and procedures, respond to questions about them, assist in developing strategies to deal with the matter, and work in accordance with the procedure set forth in Appendix A.

#### Administrative review

An administrative review, which is initiated in the same manner as a consultation, entails an investigation by the Coordinator of the charges in accordance with Appendix B.

#### Formal hearing procedure

The formal hearing procedure is available when the administrative review procedure fails to resolve satisfactorily the allegation of sexual harassment. The person who made the allegation of sexual harassment (the "Complainant") or a responsible University official may initiate a formal hearing against the person who allegedly engaged in sexual harassment (the "Respondent").

A formal hearing is initiated by the Complainant or a responsible University official by written request submitted to the Associate Vice President for Human Resources or his/her designee ("AVPHR"). The request to proceed with a formal hearing is due within 30 days after receipt of information from the responsible University official of the disposition of the administrative review procedure. The AVPHR will inform the requesting party of the process that will be followed and provide a copy of the applicable procedure.

The Code of Student Conduct will govern the formal hearing procedure when both parties are students. The applicable staff grievance procedures will govern the formal hearing procedure when both parties are staff members. The formal hearing will be held in accordance with the Formal Hearing Procedures set forth in Appendix C, when:

- (a) the Complainant is a student and the Respondent a faculty or staff member;
- (b) the Complainant is a faculty member and the Respondent a staff member or student;
- (c) the Complainant is a staff member and the Respondent a faculty member or student; or
- (d) the Complainant and Respondent are faculty members.

#### Outcomes

If the administrative review procedure or formal hearing procedure results in a determination that sexual harassment occurred, the findings and recommendations shall be referred to the appropriate University official for imposition of corrective action, including sanctions that the official is authorized to impose; provided, however, that no final sanction except for a written reprimand may be imposed based on an administrative review without the Respondent's written consent. A range of relevant considerations should be taken into account in determining the extent of sanctions, such as the severity of the offense, the effect of the offense on the victim and on the University community, and the Respondent's record of past offenses, if any. Sanctions may include, but are not limited to, a written reprimand, suspension, expulsion, or termination of employment; provided that a tenured faculty member may not be dismissed except in accordance with the procedures set forth in Section F of the Procedures for the Implementation of the Faculty Code. The University may impose interim corrective action at any time, if doing so reasonably appears required to protect a member of the University community.

#### Redress of disciplinary action

Nothing in this policy or these procedures shall be deemed to revoke any right that any member of the University community may have to seek redress of a disciplinary action, such as a faculty member's right to maintain a grievance under the Faculty Code.

#### Confidentiality

The Coordinator and other investigators and decision-makers will strive to maintain confidentiality to the full extent appropriate, consistent with the need to resolve the matter effectively and fairly. The parties, persons interviewed in the investigation, persons notified of the investigation, and persons involved in the proceedings will be advised of the need for discretion and confidentiality. Inappropriate breaches of confidentiality may result in disciplinary action.

The identity of the Complainant need not be disclosed to the Respondent at the initial consultation or at the administrative review stages, but such disclosure will be necessary at the formal hearing stage. University officials initially consulted by the Complainant, including the Coordinator, and other investigators and decision-makers may, at the Complainant's request, agree to keep the Complainant's identity confidential and such agreement will be binding throughout the consultation and administrative review stages. The Complainant whose identity has not been released earlier will be required to permit release of such information to the Respondent in order to initiate the formal hearing procedure.

#### Retaliation

Retaliation against a person who reports or complains of sexual harassment or who provides information in a sexual harassment investigation or proceeding is prohibited. Alleged retaliation will be subject to investigation and may result in disciplinary action up to and including termination or expulsion.

#### False claims

A person who knowingly makes false allegations of sexual harassment, or who knowingly provides false information in a sexual harassment investigation or proceeding, will be subject to disciplinary action.

#### Time limits

The University aims to administer this policy and these procedures in an equitable and timely manner. Established time limits may be extended for good cause, upon request. Persons making allegations of sexual harassment are encouraged to come forward without undue delay.

#### Interpretation of policy

The Office of the Vice President and General Counsel is available to provide advice on questions regarding interpretation of this policy and these procedures.

#### Appendix A: Consultation Procedure

1. The consultation consists of one or more meetings between the Coordinator and the person who requests the consultation based on one or more instances of a sexual nature that may be inappropriate.
2. The Coordinator will provide a copy of the sexual harassment policy and procedures and respond to questions about them. The Coordinator may address and clarify the matter with the person, assist in developing strategies to deal with the matter, recommend counseling or other assistance, determine that no further action is necessary, or initiate the administrative review procedure under Appendix B.
3. The Coordinator will prepare a record of the consultation, which will be maintained by the Office of the Vice President and General Counsel. The record will be considered confidential to the full extent consistent with fairness and the University's need to take preventive and corrective action (see also "Confidentiality" above). If the record of the consultation includes an allegation of sexual harassment against a person named in the record, the record will not be disclosed to any person outside the office of Vice President and General Counsel, unless the person so named is notified in writing, and absent compelling reasons to the contrary, the notification will precede the disclosure.
4. When the Coordinator has reason to believe that criminal conduct may have occurred or that action is necessary to protect the health or safety of any individual, the University may, as the Office of the Vice President and General Counsel determines, refer the matter to appropriate authorities.
5. Although consultation may be requested and an administrative review procedure pursued within any reasonable time after the events giving rise to the consultation or administrative review procedure, persons who believe they have been subjected to or who otherwise have observed sexual harassment are encouraged to seek assistance from the University through these procedures promptly.

## Appendix B: Administrative Review

1. Following consultation, a person who alleges sexual harassment (the "Complainant") has the right to pursue an administrative review procedure if not satisfied with the results of the consultation.
2. The Coordinator will ask the Complainant to provide a factual account of the alleged harassment. The Coordinator may assist the Complainant to prepare a signed statement. If the Complainant declines to provide a signed statement, the Coordinator will prepare a written summary of the Complainant's oral allegations (see "Confidentiality" above).
3. The Coordinator will inform the Respondent of the allegations in sufficient detail to permit an informed response, including providing the Respondent with a written summary of the material allegations.
4. The Coordinator will investigate the alleged harassment as promptly as circumstances permit, will afford the Respondent a reasonable opportunity to respond to the allegation, and will advise the parties and persons interviewed or notified about the alleged harassment of the need for discretion and confidentiality.
5. Upon initiating an investigation, the Coordinator may inform the University officials who would be charged with recommending corrective and disciplinary action ("responsible University officials") of the administrative review procedure.
6. Upon concluding the investigation, the Coordinator will report his or her findings on the matter to the responsible University official. The Coordinator will make every effort to resolve the matter informally among the parties, subject to the approval of the responsible University official. The informal resolution of the matter may include corrective or disciplinary action; provided, however, that no final corrective action except for a written reprimand may be taken based on an administrative review procedure without the Respondent's written consent. Any such corrective or disciplinary action shall be imposed by the responsible University official and be within his or her discretion and consistent with his or her authority. The University may take interim corrective action at any time if doing so reasonably appears to be required to protect a member of the University community.
7. If the Coordinator is unable to resolve the matter informally, the responsible University official shall determine, based on the report obtained from the



Coordinator, whether or not to recommend the imposition of one or more final sanctions against the Respondent. If the recommended disposition involves a final sanction other than a written reprimand, and if the Respondent does not give written consent to the imposition of such sanction, the responsible University official shall determine whether to initiate a formal hearing against the Respondent.

8. A responsible official will notify the parties in writing of the disposition of the administrative review procedure; provided, that the official may omit from the notice portions of the foregoing information that the University is required by law to treat as confidential. (See "Confidentiality" above for restrictions on disclosure of information.)
9. If dissatisfied with the disposition of the administrative review procedure, the Complainant may initiate the formal hearing procedure.
10. If dissatisfied with the disposition of the administrative review procedure, the Respondent may pursue applicable grievance procedures.

## Appendix C: Formal Hearing Procedure -- Special Panels

### A. Initiation of special panel procedure

1. The Complainant or a responsible University official must file a written request with the Associate Vice President for Human Resources or his/her designee ("AVPHR") in order to initiate a formal hearing. The request must be filed within 30 days after receipt of information from a responsible University official of the disposition of the administrative review (See Appendix B). The written request for a formal hearing (the "complaint") must include a description of the material facts related to the alleged sexual harassment, must state why the disposition of the matter should be modified or overturned, and may include a statement of the relief requested.
2. The AVPHR will send a copy of the complaint, including the name of the person alleged to have been sexually harassed, to the responding party.
3. An aim of the special panel process is to complete, if feasible, the formal complaint procedure within 45 business days of the AVPHR's receipt of the formal complaint request.

### B. Establishment of special panels

1. A complaint filed under Appendix C will be heard by a six-member panel selected by lot by the AVPHR as described in Section C. Panelists will be selected from a pool of 18, six of whom are faculty members appointed by the Executive Vice President for Academic Affairs, with the concurrence of the Council of Deans and the Faculty Senate Executive Committee. If the concurrence does not occur within 30 days, the Executive Vice President for Academic Affairs ~~shall select the faculty panel members~~ and the Council of Deans shall select three of the faculty panel members and the Faculty Senate Executive Committee shall select the remaining three faculty panel members. Six members of the pool shall be staff employees appointed by the AVPHR; and six members of the pool shall be students appointed by the Associate Vice President and Dean of Students.
2. Each appointee to the pool ordinarily will serve a two year term. The appointing official should stagger the appointments so that, if feasible, the terms of not more than five of his or her appointees expire in any year.

3. An appointee to the pool may be removed and replaced at any time, at the discretion of the appointing official. The appointing official should promptly fill vacancies in the pool according to the procedure in Section B.1 above.
4. The AVPHR will conduct mandatory training of all appointees to the pool at the time of appointment and periodically thereafter. No pool member shall receive such training while serving on a special panel. Training will address roles and responsibilities of panel members, hearing procedures, applicable policies, and other techniques and standards pertinent to the complaint and hearing process.

C. Selection of panel

1. Within five business days after receiving the written request to proceed with a formal complaint (see A.1, above), the AVPHR will select by lot the six-member panel from the pool. Two of the panel members will be drawn from the same status group as the Respondent; two panel members will be drawn from the same status group as the Complainant; and two panel members will be drawn from among the pool members in the remaining status group(s). No member of a faculty member's department or of a staff member's administrative department may serve on the special panel.
2. The AVPHR will notify the parties of the panelists' names. Within three business days of receipt of the notice, either party may submit to the AVPHR a written objection to designation of any panel member. The objection must clearly state the reasons for the objection. The AVPHR may, at his or her discretion, replace a challenged panelist with another member of the pool from the same status group.
3. A designated panelist who at any time has or may reasonably be perceived as having a conflict of interest or is otherwise unable to serve on a special panel shall recuse himself or herself, and notify the AVPHR of the recusal. For sound reasons, which shall be disclosed to the parties and panel members, the AVPHR, in his or her discretion, may replace a panel member. The successor panel member shall be selected by lot by the AVPHR from among pool members of the recused or replaced panel member's status group.

D. Special panel organization

1. Within five business days after their appointment, special panel members will select a chairperson and review the request for a hearing.

2. The special panel may request clarification or additional information from the AVPHR or the parties. Panel members may not communicate with either party outside the presence of the other party. The special panel shall provide both parties with copies of all written communications sent to either party.

E. Scheduling hearing

1. The special panel will set a hearing date and time. The panelists will meet within a reasonable time, normally within five business days after their appointment, to select a chairperson and set the hearing date and time. The hearing will be held within a reasonable time, normally within 20 business days after the special panel is appointed.
2. The special panel chairperson will notify the parties of the hearing date, time, and location at least ten business days before the hearing. Within two business days after receiving notice of the hearing, a party with a scheduling conflict may submit to the chairperson a request for postponement. The chairperson, after consulting the special panel members, has discretion to reschedule the hearing. All parties will be notified as soon as feasible if the hearing is rescheduled.
3. If a party does not appear for the hearing within 30 minutes after the scheduled time, the special panel will decide whether to reschedule the hearing or proceed.

F. Conduct of hearing

1. The special panel chairperson will preside at the hearing and decide procedural issues. Only persons participating in the proceeding may be present during the hearing except as otherwise provided in these procedures. The hearing will be conducted in the following sequence:
  - (a) Preliminary matters. The chairperson will introduce the parties, their counsel or advisors, and the special panel members; review the order of proceedings; explain procedures that govern use of the tape recorder; and present a brief summary of the complaint.
  - (b) Opening statements. The party who requested the hearing may make an opening statement. The responding party may then make an opening statement. Each opening statement shall not exceed 15 minutes.

- (c) Presentation of complaint. The party who requested the hearing may present to the panel testimony, witnesses, documents or other evidence. Following the testimony of the party who requested the hearing, and of each witness, the responding party may ask questions.
  - (d) Response to complaint. The party who responded to the complaint may present testimony, witnesses, documents or other evidence to the panel. Following the testimony of the responding party, and of each witness, the party who requested the hearing may ask questions.
  - (e) Closing statements. The party who requested the hearing may make a closing statement. The responding party may then make a closing statement. Each closing statement shall not exceed 15 minutes.
- 2. Special panel members may ask questions of parties or witnesses at any time during the hearing.
  - 3. The hearing will not be conducted according to strict rules of evidence. However, the special panel chairperson may limit or exclude irrelevant or repetitive testimony, and may otherwise rule on what evidence may be offered. To determine whether a persistent pattern of harassment exists, the special panel may request that appropriate University officials (in consultation with the Office of the Vice President and General Counsel) provide evidence of prior written reprimands and/or sanctions imposed against the Respondent based on past incidents of sexual harassment as a part of the hearing record.
  - 4. When the hearing cannot be completed in one session, the special panel chairperson may continue the hearing to a later date and time.
  - 5. The hearing will be recorded on audiotape. Either party may obtain from the AVPHR a copy of the recording at reasonable cost, on written request.

G. Witnesses

- 1. Each party (and the panel) may ask witnesses to testify at the hearing, but no person may be compelled to testify. However, each party shall have a right to know prior to the hearing the contents of and the names of the authors of any written statements that may be introduced against him or her, and the right to rebut unfavorable inferences that might be drawn from such statements.
- 2. At least three business days before the hearing, each party must provide the

chairperson, the AVPHR and the other party a list of witnesses he or she intends to present at the hearing.

3. The special panel may request that additional witnesses appear. The AVPHR will, if feasible, arrange for the appearance of these witnesses.
4. Each party is responsible for notifying its witnesses of the hearing date, time, and location. A hearing will not necessarily be postponed because a witness fails to appear.
5. In identifying persons to appear as witnesses, parties should be aware that live testimony is preferred and that the panel may give less weight to the evidence of a witness who is able but unwilling to appear.
6. All witnesses (except for the Complainant and the Respondent) will be excluded from the hearing before and after their testimony. A witness may be recalled at the discretion of the special panel chairperson.
7. A University employee must obtain permission from his or her supervisor to be absent from work to appear at a hearing. Employees will be paid for reasonable time spent while preparing for or while appearing at a hearing during working hours, but not for other time spent on the complaint ~~during or~~ outside working hours.
8. A student must obtain permission from his or her professor to be absent from class to appear at a hearing.
9. Supervisors and professors should be aware of the importance of hearings and not unreasonably withhold permission to appear at a hearing. If an employee or student needs assistance in obtaining permission to appear at a hearing, he or she should contact the AVPHR.

#### H. Advisors

1. The University shall constitute a committee consisting of faculty with law degrees willing to advise pro bono either party to a sexual harassment complaint during the formal hearing. If a pro bono attorney is not available, the University shall provide an attorney-adviser at its expense upon request of a party.
- ~~1.~~ 2. Each party may be accompanied by not more than two advisors, who may be

University employees or other persons the party selects; provided that not more than one of the advisors shall be acting in an attorney capacity.

- 2.3. No advisor, including an attorney who may be acting as an advisor, may speak on behalf of the party, make an opening or closing statement, present testimony or examine witnesses. The advisor's role is limited to assisting the party to prepare for the hearing and providing the party private advice during the hearing.
- 3.4. A Complainant or Respondent who plans to be accompanied by an attorney or other advisor at the hearing must notify the panel chairperson and the other party at least five business days before the hearing.
- 4.5. The special panel may request or the University may provide a University-furnished attorney or other advisor to be present at any hearing to advise the special panel.
- 5.6. The University may have an observer present at any hearing.

1. Decision after hearing

- 1. After the hearing, the special panel will meet in closed session to review the hearing and make a decision on the complaint. In order to make a determination that sexual harassment occurred, the decision must be supported by the preponderance of the evidence and approved by a majority of the special panel members.
- 2. The special panel's report of its decision must be in writing and set forth findings of fact, conclusions, and, where appropriate, recommendations for corrective or disciplinary action that are approved by a majority of the special panel members.
- 3. The special panel will submit the report of its decision to the AVPHR within ten business days after the hearing ends. The AVPHR shall send a copy of the special panel report to the Complainant and to the Respondent (at their home addresses of record, by courier, overnight mail or certified mail, return receipt requested) except for portions that the University is required by law to treat as confidential. The AVPHR shall also send copies of the special panel report to the responsible University officials, including the vice president(s) responsible for oversight of the status group(s) to which the parties belong.
- 4. If the special panel concludes that sexual harassment occurred, the AVPHR

will forward a copy of the special panel report to a University official responsible for implementing corrective or disciplinary action. After reviewing the special panel report, a responsible University official will decide whether to impose corrective or disciplinary action, consistent with that official's authority. A responsible University official will notify the parties in writing of the disposition, and the basis for that disposition.

J. Review of special panel decision

1. A party dissatisfied with a special panel decision may submit a request for review to the AVPHR, who will transmit the request to the vice president(s) responsible for oversight of the status groups to which the parties belong. For example, when the Complainant is a staff member and the Respondent a faculty member, the AVPHR and the Executive Vice President for Academic Affairs will jointly review the matter; when Complainant and Respondent are both faculty members, the Executive Vice President for Academic Affairs will review the matter.
2. The request for review must be in writing and set forth reasons why the special panel decision should be modified or overturned. The request for review must be based on the hearing record and may not present new evidence or testimony.
3. The request for review must be submitted within 15 business days after the party's receipt of the special panel decision. If the request is not received by then, the special panel decision will be the final University decision on the complaint.
4. The Vice President(s) will strive to issue a final decision on the review, based on the hearing record, within 20 business days following submission of the request for review. The decision of the Vice President(s) shall be the final decision on the complaint within the University.
5. When a special panel decision that includes a finding of sexual harassment is



final, or when the final decision on a review is issued, the AVPHR will provide a copy of it to the University official(s) responsible for implementing corrective or disciplinary action. Any corrective or disciplinary action taken shall be within the discretion and consistent with the authority of the responsible University official. A range of relevant considerations should be taken into account in determining the extent of sanctions, such as the severity of the offense, the effect of the offense on the victim and on the University community, and the Respondent's record of past offenses, if any. Respondent will be promptly notified of the outcome.

6. A responsible University official shall send a copy of the final decision to the parties (at their home addresses of record, by courier, overnight mail or certified mail, return receipt requested) except for portions that the university is required by law to treat as confidential.

### Tribute to Bernard Mergen

Barney Mergen will retire this spring after 34 years of service to George Washington University, including several years of service here in the Faculty Senate.

Professor Mergen is a graduate of the University of Pennsylvania, completing his doctorate in 1968 in American Civilization. But before finishing his dissertation, he accepted an offer to serve as a Fulbright Lecturer at the University of Goteborg. The three years that he taught in Sweden, profoundly transformed his perspective on the United States and his sense of the obligations of American Studies. Since 1965, when he returned to the UPenn campus, he has been an ardent internationalist. Over the years he has carried the banner of American Studies to Mongolia, Germany, Belgium, Portugal, South Africa, Nigeria, Kyrgyzstan, Costa Rica, and India. Assuming the editorial reins of American Studies International in 1979, for twenty-five years he has reached out through this journal to foreign scholars interested in the history and culture of United States. It is largely because of Mergen's personal diplomacy that the annual meetings of the American Studies Association always have a significant attendance by foreign scholars. They come not only because of his scholarly work but also because of his considerable lobbying efforts on their behalf for travel funds from the United States Information Service and other federal agencies. It is no exaggeration to claim that Mergen is the human face of American Studies around the world.

Mergen arrived at GWU in 1970 when he accepted a position as an Assistant Professor. He rose steadily to Associate in 1975 and was promoted to Full Professor in 1980. He served as departmental chair for four terms for a total of ten years and serves in that capacity now during the sabbatical year of Phyllis Palmer. His easy manner has undoubtedly helped the department to expand over the last two decades and successfully hire new colleagues, expand the course offerings, and produce competitive and talented students.

During the past quarter of a century, we have all been impressed by the smooth transitions in his scholarship. Trained initially as a labor historian, he has gracefully expanded his interests to include: oral history, material culture and museum studies, Mesoamerican archaeology and history, children's play, and environmental history. He is fully a most emblematic scholar in the capacious field of American Studies; he continues to live out Walt Whitman's call to all Americans to "include multitudes."

His books, essays, and articles begin chronologically with a study of the fiction of James Baldwin and roll forward to a recent essay on winter carnivals that he presented at the recent Winter Olympics in Salt Lake City. Sandwiched between these far ends of an energetic imagination are essays on Andrew Carnegie, documentary photographs, Jewish labor history, Billy Carter, playground equipment, winter carnivals, genre painting, urban history, and murder mysteries. The entire gathering of publications is more than merely varied; Mergen's scholarly career has been marked by imagination, brilliance, innovation, and skillful writing. There is a luster about Mergen's writing that must be admired.

Professor Mergen has provided thirty-five years of distinguished service as a dedicated, well-respected, and trusted member of the faculty, teaching introductory as well as advanced courses in American Studies, anthropology, and museum studies, and serving as a faculty advisor to numerous students and their organizations. His presence on the faculty will be missed by all of us.

Given his lively intellect and continuing curiosity, we have no doubt that Barney will continue some of his scholarly pursuits even in retirement. Although he will be moving to West Virginia to complete the building of what has turned out to be more of a retirement compound than simply a retirement home, we hope that he will return for occasional visits.

John M. Vlach

American Studies Department

(Read into the record at the Faculty Senate meeting, May 13, 2005)

**A TRIBUTE TO GERALD P. JOHNSTON**  
**Professor of Law, Emeritus**

Professor Gerald Johnston retired at the end of the 2004-05 academic year as Professor of Law, Emeritus, following eighteen years of distinguished service to the University and its Law School. Professor Johnston received his undergraduate degree from Wesleyan University and his law degree from Duke University, where he was a member of the Order of the Coif and a Note Editor of the Duke Law Journal. Before joining our Law School's faculty in 1987, Professor Johnston practiced law for sixteen years with two major national law firms and was a law professor for nine years at the University of Kentucky and Washington University in St. Louis.

Professor Johnston has achieved great distinction as a teacher, scholar, and practitioner in the fields of property law, trusts and estates, and legal ethics. He has published numerous law review articles and book chapters, and he has also presented papers at many conferences hosted by law schools and professional associations. He has appeared as an expert witness in a wide variety of judicial proceedings involving legal ethics, legal malpractice, and trusts and estates matters.

Professor Johnston has earned the universal respect and affection of the faculty, staff and students at the Law School. He was a challenging and rigorous teacher who inspired his students and helped them to apply legal principles in solving complex problems. On January 28, 2005, the faculty of the Law School adopted a resolution granting emeritus status to Professor Johnston. That Emeritus Resolution included, among many other commendations, the following statements: "Professor Johnston has served as an exemplary teacher at this University .... [He] has been well known for his willingness and ability to teach large classes of core courses and relate the [course] materials to the practice of law .... [He] has served as a dedicated citizen of this University, diligently guarding faculty rights and the institution of tenure .... [He] has served the legal profession with great distinction .... [W]e shall greatly miss [his] humor, intellectual honesty, professional and university service, and dedication to students." The Faculty Senate warmly concurs in these sentiments of appreciation for Professor Johnston's outstanding career at this University.

Professor Johnston has provided exceptional service to the Law School and the University in carrying out a wide array of committee and administrative assignments. He was a member of many important Law School committees. He was one of the principal organizers and served as the initial President of the University's chapter of the American Association of University Professors during 1996-98. Professor Johnston has provided invaluable service to the Faculty Senate in many capacities. He served for ten years as an elected member of the Faculty Senate, and during four of those years he was the Law School's representative on the Faculty Senate Executive Committee. He was a member and Chair of the Faculty Senate Committee on Administrative Matters as They Affect the Faculty and the Committee on Professional Ethics and Academic Freedom. His service on the latter Committee, like his AAUP service, reflected his steadfast commitment to the principles of academic freedom and faculty self-governance.

In his retirement, we know that Professor Johnston will continue to pursue his many intellectual interests and to demonstrate his love for his family and the Eastern Shore of Maryland. We extend our congratulations and best wishes to Professor Johnston and his beloved wife, Mary Lu, along with our grateful appreciation for his many contributions to the Faculty Senate and the University.

George Washington University Senate  
Meeting of May 13, 2005

FACULTY SENATE COMMITTEES  
2005-06 Session

STANDING COMMITTEE CHAIRS

Exec. Cmt.  
Liaison

- |     |                                                                                                               |           |
|-----|---------------------------------------------------------------------------------------------------------------|-----------|
| 1.  | ADMISSIONS POLICY, STUDENT FINANCIAL AID, AND<br>ENROLLMENT MANAGEMENT<br>Chair: Professor Hermann J. Helgert | Rycroft   |
| 2.  | APPOINTMENT, SALARY, AND PROMOTION POLICIES<br>(INCLUDING FRINGE BENEFITS)<br>Chair: Professor Murli M. Gupta | Mueller   |
| 3.  | ATHLETICS AND RECREATION<br>Chair: Professor Jack H. Friedenthal                                              | Simon     |
| 4.  | EDUCATIONAL POLICY<br>Chair: Professor Ralph O. Mueller                                                       | Rycroft   |
| 5.  | FACULTY DEVELOPMENT AND SUPPORT<br>Chair: Professor Philip W. Wirtz                                           | Garris    |
| 6.  | FISCAL PLANNING AND BUDGETING<br>Chair: Professor William B. Griffith                                         | Biles     |
| 7.  | HONORS AND ACADEMIC CONVOCATIONS<br>Chair: To be elected                                                      | Garris    |
| 8.  | LIBRARIES<br>Chair: Professor Isabel R. Vergara                                                               | Pagel     |
| 9.  | PHYSICAL FACILITIES<br>Chair: Professor Linda L. Gallo                                                        | Biles     |
| 10. | PROFESSIONAL ETHICS AND ACADEMIC FREEDOM<br>Chair: Professor Arthur E. Wilmarth, Jr.                          | Robinson  |
| 11. | RESEARCH<br>Chair: Professor William J. Briscoe                                                               | Simon     |
| 12. | UNIVERSITY AND URBAN AFFAIRS<br>Acting Chair: Professor Lisa Benton-Short                                     | Pagel     |
| 13. | JOINT COMMITTEE OF FACULTY AND STUDENTS<br>Faculty Co-Chair: Professor Sylvia A. Marotta                      | Englander |

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# MEMBERS OF THE FACULTY SENATE COMMITTEES

## 2004-05 Session

### EXECUTIVE COMMITTEE

Smith Hall of Art A-112	Lilien F. Robinson (CCAS), Chair	4-7094
2021 K Street, #800	Brian L. Biles (SPHHS)	414-0066
Monroe #203	Ernest J. Englander (SB)	4-8203
Phillips T-737	Charles A. Garriss, Jr. (SEAS)	4-3646
2134 G Street, #114	Ralph O. Mueller (GSEHD)	4-4593
Burns Law Library BM01A	Scott Pagel (GWLS)	4-7337
1957 E Street, #403	Robert W. Rycroft (ESIA)	4-6615
ACC 5th Floor, #410	Gary L. Simon (SMHS)	741-2234
Rice, 8th Floor	Stephen Joel Trachtenberg (President), <i>ex-officio</i>	4-6500

### ADMISSIONS POLICY, STUDENT FINANCIAL AID, AND ENROLLMENT MANAGEMENT

\*Chair: Helgert, Hermann J., Electrical & Computer Engineering

Abravanel, Eugene, Psychology

Carter, Geoffrey, English

Greenawald, Nancy, Physical Therapy

Mendez, Susana, Microbiology

McGraw, Stephen, Health Care Sciences

Ullman, Daniel, Mathematics

#### ex officio:

Amundson, Elizabeth A., Registrar

Belk, Crystal, Manager, GLS Financial Operations

Chernak, Robert A., Senior Vice President for Student and Academic Support Services

Lehman, Donald R., Executive Vice President for Academic Affairs

Student Liaison to be appointed

Napper, Kathryn, Director of Admissions

\*Rycroft, Robert W., CISTP, Executive Committee Liaison

Rypkema, Geri, Director, Office of Graduate Student Support

Small, Daniel, Director of Student Financial Assistance

Williams, Kristin, Director, Graduate Student Enrollment Management

\*Member of the Senate

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APPOINTMENT, SALARY, AND PROMOTION POLICIES, (INCLUDING FRINGE BENEFITS)

- \*Chair: Gupta, Murli M., Mathematics
- Achrol, Ravi, Marketing
- Galston, Miriam, Law
- Gamber, Cayo, University Writing Program
- \*Helgert, Hermann J., Electrical & Computer Engineering
- Kessman, Dean, Fine Arts & Art History
- \*Marotta, Sylvia A., Counseling, Human and Organizational Studies
- Plack, Margaret, Health Care Science
- Schanfield, Moses, Forensic Science
- Silverman, David, History
- Zaghloul, Mona E., Electrical & Computer Engineering

ex officio:

- Folkerts, Jean, Associate Vice President for Special Academic Initiatives
- Kaplan, Susan, Associate Vice President for Human Resources
- Katz, Louis H., Executive Vice President and Treasurer
- Lehman, Donald R., Executive Vice President for Academic Affairs
- \*Mueller, Ralph O., Education Leadership, Executive Committee Liaison
- Stewart, Andrea W., Assoc. University Librarian, Gelman Library Administration

ATHLETICS AND RECREATION

- \*Chair: Friedenthal, Jack H., Law
- Banzhaf, John, Law
- Dew, Donald W., Counseling, Human and Organizational Studies
- Dickman, Alex, Exercise Science
- Garcia, Jorge, Counseling, Human and Organizational Studies
- McHugh, Patrick, Management Science
- Neirotti, Lisa Delpy, Travel & Tourism
- Sullivan, Patricia A., Exercise Science

ex officio:

- Student Liaison to be appointed
- Chernak, Robert A., Senior Vice President for Student and Academic Support Services
- Jones, Aubré, Director of Recreational Sports and Fitness Services
- Kvancz, Jack, Director of Athletics and Recreation
- Linebaugh, Craig, Associate Vice President for Academic Planning and Development
- \*Simon, Gary L., Medicine, Executive Committee Liaison
- Warner, Mary Jo, Senior Associate Director of Athletics and Recreation

\*Member of the Senate

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### EDUCATIONAL POLICY

- \*Chair Mueller, Ralph O., Educational Leadership  
Abrams, Lowell, Mathematics
- \*Castleberry, Michael S., Teacher Preparation and Special Education  
Dasgupta, Subhasish, Management Science
- \*Delaney, Morgan D., Pulmonary Medicine  
McGraw, Stephen, Health Care Sciences  
Tollo, Richard, Earth and Environmental Sciences
- \*Vergara, Isabel R., Romance Languages & Literature  
Youens, Laura, Music
- \*Zea, Maria Cecilia

#### ex officio:

- Amundson, Elizabeth A., Registrar
- Beil, Cheryl, Director, Academic Planning and Assessment
- Chernak, Robert A., Senior Vice President for Student and Academic Support Services
- Etschmaier, Gale S., Associate University Librarian for Public Services, Gelman Library
- Folkerts, Jean, Associate Vice President for Special Academic Initiatives
- Futrell, Mary H., Dean, GSEHD
- Lehman, Donald R., Executive Vice President for Academic Affairs
- Napper, Kathryn, Director of Admissions
- \*Rycroft, Robert W., CISTP, Executive Committee Liaison
- Sigelman, Carol, Associate Vice President for Research and Graduate Studies
- Small, Daniel, Director of Student Financial Assistance
- Student Liaison to be appointed

### FACULTY DEVELOPMENT AND SUPPORT

- \*Chair: Wirtz, Philip W., Management Science
- \*Cordes, Joseph J., Public Policy  
Fon, Vincy, Economics
- \*Robin, Richard, German and Slavic Languages and Literatures  
Robinson, Edward, Forensic Sciences  
Rogers, Gloria, Physical Therapy
- \*Shen, Yin Lin, Mechanical and Aerospace Engineering

#### ex officio:

- Student Liaison to be appointed
- Beil, Cheryl, Director of Academic Planning and Assessment
- Fullerton, Vera, Collection and Instruction Librarian, Gelman Library
- \*Garris, Charles A., Mechanical and Aerospace Engineering, Executive Committee Liaison
- Linebaugh, Craig, Associate Vice President for Academic Planning and Special Projects

#### \*Member of the Senate

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### FISCAL PLANNING AND BUDGETING

\*Chair: Griffith, William B., Philosophy  
Cherian, Edward J., Management Science  
Hammad, Mamoon, Management Science  
Lang, Roger H., Electrical and Computer Engineering  
Rong, Yongwu, Mathematics  
Snyder, Chris, Economics  
Solomon, Henry, Emeritus, Economics  
Turley, Catherine, Health Care Science  
Yezer, Anthony, Economics

#### ex officio:

Bass, Gerald H., Associate V.P. for Health Economics, Medical Center  
\*Biles, Brian, Health Policy, Executive Committee Liaison  
Boselovic, Don, Associate Vice President for Finance  
Charles, Leroy, Assistant Vice President for Health Affairs  
Chernak, Robert A., Senior Vice President for Student and Academic Support Services  
Harding, Harry, Dean, Elliott School of International Affairs  
Katz, Louis H., Executive Vice President and Treasurer  
Lehman, Donald R., Executive Vice President for Academic Affairs  
Siggins, Jack A., University Librarian  
Whitaker, Roger, Associate Vice President for Academic Development and Continuing Education

### HONORS AND ACADEMIC CONVOCATIONS

Chair: To be elected  
Glickman, Theodore S., Management Science  
Kahn, Walter K. Electrical and Computer Engineering  
Khamooshi, Homayoun, Management Science  
\*Miller, Barbara D., Anthropology and International Affairs  
Sullivan, Patricia A., Exercise Science  
Wade, Alan, Theater & Dance

#### ex officio:

Student Liaison to be appointed  
Anderson, G. David, University Archivist, Gelman Library  
Freedman, Michael, Vice President for Communications  
\*Garris, Charles A., Mechanical & Aerospace Engineering, Executive Committee Liaison  
Kasle, Jill F., University Marshal  
Lehman, Donald R., Executive Vice President for Academic Affairs

#### \*Member of the Senate

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### LIBRARIES

\*Chair: Vergara, Isabel R., Romance Languages & Literatures  
Berkovich, Simon, Computer Science  
Fon, Vincy, Economics  
Harizanov, Valentina, Mathematics  
Hoare, Carol, Counseling, Human and Organizational Studies  
Kwak, Young H., Management Science  
Maring, Joyce, Physical Therapy  
Mullen, Mark V., University Writing  
Ryder, Phyllis M., University Writing  
Smith, Carol A., Pathology

#### Ex officio:

Bader, Shelley A., Director, Medical Library  
Student Liaison to be appointed  
Lehman, Donald R., Executive Vice President for Academic Affairs  
\*Pagel, Scott B., Librarian, Law Library and Executive Committee Liaison  
Siggins, Jack A., University Librarian  
Sterling, Christopher, Director, Telecommunications Program

### PHYSICAL FACILITIES

\*Chair: Gallo, Linda L., Biochemistry & Molecular Biology  
Junghenn, Hugo, Mathematics  
\*Kim-Renaud, Young-Key, East Asian Languages & Literatures  
Murphree, Edward L., Engineering Management  
Robinson, E. Arthur, Mathematics  
Sabelli, Bradley, Theatre and Dance  
Turley, Catherine L., Health Care Sciences

#### ex officio:

\*Biles, Brian L., Health Policy, Executive Committee Liaison  
Dubrow, Eve, Associate Vice President for Operations  
Katz, Louis H., Executive Vice President and Treasurer  
Student Liaison to be appointed  
Linebaugh, Craig, Associate Vice President for Academic Planning and Special Projects  
Pec, Jean A., Head, Collection Management Services, Gelman Library

#### \*Member of the Senate

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## PROFESSIONAL ETHICS AND ACADEMIC FREEDOM

\*Chair: Wilmarth, Arthur E., Law

Artz, John M., Management Science

Bethony, Jeffrey M., Microbiology

Chalofsky, Neal E., Human Resource Development

Darr, Kurt J., Health Sciences Management and Policy

\*Gallo, Linda L., Biochemistry and Molecular Biology

Goodrich, Katherine H., Medicine

Hamner, Marvine P., Engineering Management and Systems Engineering

Kahn, Walter K., Engineering

Robinson, David, Emeritus, Law

Ryan, Julie J.C.H., Engineering Management & Systems Engineering

### ex officio:

Student Liaison to be appointed

Folkerts, Jean, Associate Vice President for Special Academic Initiatives

Frawley, William J., Dean, CCAS

Sigelman, Carol, Associate Vice President for Research and Grad. Studies

Solberg, Judy, Head, Reference Department, Gelman Library

\*Robinson, Lilien F., Art, Executive Committee Liaison

Trangsrud, Roger, Interim Dean, Law School

Weitzner, Richard, Associate General Counsel

## RESEARCH

\*Chair: Briscoe, William J., Physics

Achrol Ravi Singh, Marketing

Casey, Andrea, Counseling, Human and  
Organizational Studies

Cseh, Maria, Counseling, Human and  
Organizational Studies

Feinstein, Jerald, Management Science

Gastwirth, Joseph, Statistics

Kubrin, Charis, Sociology

Leiphart, James, Neurosurgery

Lemasters, Linda, Educational Leadership

Mendez, Susana, Microbiology

Miller, Todd, Exercise Science

Przytycki, Josef H., Mathematics

\*Zea, Maria Cecilia, Psychology

### ex officio:

Ladisch, Stephan, Director, GWU Institute of Biomedical Sciences

Lipscomb, Diana, Associate Dean for Faculty and Research, CCAS

Mayer, William, Assoc. University Librarian for Information Technology, Gelman Library

Student Liaison to be appointed

Sigelman, Carol, Associate Vice President for Research and Grad. Studies

\*Simon, Gary L., Medicine, Executive Committee Liaison

Tong, Timothy W., Dean, SEAS

\*Member of the Senate

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UNIVERSITY AND URBAN AFFAIRS

\*Acting Chair: Benton-Short, Lisa, Geography  
Captain, Yvonne, Romance Languages & Literatures  
Lee, Cynthia, Law  
LeLacheur, Susan, Health Care Sciences  
Nashman, Honey, Sociology  
Steeves, Kathleen, Teacher Preparation and Special Education

ex officio:

Cannaday, Rob, Counselor, Multicultural Student Services  
Colati, Greg, Head, Special Collections, Gelman Library  
Student Liaison to be appointed  
Demczuk, Bernard, Assistant V.P. for District of Columbia Affairs  
Katz, Louis H., Executive Vice President and Treasurer  
Lingo, Jane T., Assistant Director, News & Public Affairs  
Matsumoto, Amiko, Director, Office of Community Service  
Mory, Scott M., Executive Director of Advancement, Alumni Programs  
\*Pagel, Scott, B., Law, Executive Committee Liaison  
Phillips, Susan M., Dean, School of Business and Public Management  
Robinson, Sammie, Associate Director, Undergraduate Admissions  
Smith, Ginger, Associate Dean, College of Professional Studies

\*Member of the Senate

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The following Committee is not a Standing Committee of the Faculty Senate, but is listed for your information:

**JOINT COMMITTEE OF FACULTY AND STUDENTS**

**Faculty Members:**

\*Co-Chair, Marotta, Sylvia A., Counseling, Human and Organizational Studies  
Cseh, Maria, Counseling, Human and Organizational Studies  
Hammad, Mamoon, Management Science  
Jones, Meta D., English  
McGraw, Stephen, Health Care Science  
Ryder, Phyllis M., University Writing

**ex officio:**

Beil, Cheryl, Director of Academic Planning and Assessment  
Chernak, Robert A., Senior Vice President for Student and Academic Support Services  
Danneker, John, Library Manager, Circulation, Gelman Library  
Donnels, Linda, Dean of Students  
\*Englander, Ernest J., Strategic Management & Public Policy, Executive Committee Liaison  
Frawley, William J., Dean, CCAS  
Gelman Library Student Liaison to be appointed  
Konwerski, Peter A., Assistant to the Sr. VP SASS & Exec Dir. of Administrative Partnerships  
Wilson, Robert J., Assistant Director, Education Services, University Counseling Center  
Wooldridge, Annie B., Assistant Vice President

**Student Members:**

\*Co-Chair, to be elected

**ex officio:**

to be elected

**\*Member of the Senate**

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# **Faculty Senate Committee on Admissions Policy, Student Financial Aid, and Enrollment Management**

## **Final Report May 10, 2005**

During the Academic Year 2004/05 the Committee met four times.

At its first meeting the committee agreed to pursue the following agenda for the remainder of the term:

1. Obtain and analyze undergraduate enrollment data for academic departments and programs that are currently below optimum enrollment levels. Because of significant instability in declared majors during the freshman and sophomore years, the committee decided to focus on enrollment for the junior and senior years.
2. Investigate and recommend strategies that could be employed to improve the conversion rate of admitted students to attending students, especially with respect to departments and school currently experiencing enrollment shortfalls.
3. Investigate how and to what extent the emerging Europe-wide higher education standards degrees and degree requirements known as the Bologna Process will impact the enrollment of foreign students at GWU.

At its second meeting the committee discussed the impact of the Bologna Process on graduate enrollment at GWU. The consensus opinion was that under the revisions of the Bologna Process currently being carried out, students from European Union countries will be better prepared to undertake graduate studies at US universities. The committee also concluded that the evaluation of degree credentials should be carried out in cooperation with individual countries and institutions of higher learning through the process of a Memorandum of Understanding.

At its third meeting Senior Vice President Robert Chernak and Director of Undergraduate Admissions Kathryn Napper presented data on the current state of undergraduate applications for the academic year 2005/06. The committee also discussed ways of increasing the number of applications from qualified students, especially with respect to the School of Engineering and Applied Science. Suggestions ranged from creating internship or coop programs for undergraduates to improving the level of mentoring, especially for students in their early semesters.

At its fourth meeting the committee considered various approaches to improving the conversion rate of admitted to enrolled students. It further discussed international student enrollment patterns and the effect of internships and coop programs on the retention of undergraduate students. The committee also received and discussed an updated report on applications and admissions for the Academic Year 2005/06.

Respectfully submitted,

Hermann J. Helgert

Members: Crystal Belk, Geoffrey Carter, Robert Chernak, John Geranios, Murli Gupta, Hermann Helgert (Chair), Donald Lehman, Stephen McGraw, Kathryn Napper, Geri Rypkema, Aimee Shulman, Daniel Small, Daniel Ullman, Kristin Williams



## EDUCATIONAL POLICY COMMITTEE

Gary Simon, chair

The Educational Policy Committee was charged with examining the issue of grade inflation at GW. Whereas the charge was primarily to look at the issue of inflation, the committee expanded its role to include the issues of faculty rigor and the grading process in general.

Grade inflation is a national phenomenon. Since 1967 there has been a  $> 0.50$  increase in the average GPA. The greatest degree of inflation occurred in the 5 year period between 1967 and 1972, during the Vietnam conflict and a time of considerable unrest at many universities. At some universities, students were even placed on tenure committees. As a personal aside, the chair of the committee (GS) remembers discussing the issue of tenure with faculty and the impact that placing students on tenure committees had on grading. Between 1972 and 1987 there was little increase in the average GPA, but since 1987 the slope of the grade inflation curve has risen an average 0.15 per decade. Grade inflation tends to be somewhat greater at private schools than at public schools. Although the average GPA at public schools is slightly lower than that found at private schools (2.82 v. 3.11), the degree of inflation between these two groups is virtually identical.

The degree of inflation does not appear to be correlated with the perceived quality of competitiveness of the individual institution. Harvard, Stanford and Princeton have had a 0.15 grade inflation rate over the past 15 years. University of Chicago, University of Washington and University of Texas have higher inflation rates; Purdue, University of Wisconsin-Oshkosh campus and Western Washington University are below the national rate.

There is no question that grade inflation has occurred at GW. Over a 21-year period between 1983 and 2002 there was a 0.22 increase (3.03 to 3.25) in the average GPA of graduating undergraduates. This is virtually identical to the 0.15 average increase per decade that is cited as the national norm. Among the individual schools the increase in GPA ranged from 0.15 (SEAS) to 0.29 (ESIA).

The committee wanted to examine the data in greater detail. Issues that were raised included upper- v. lower-level courses, introductory v. more advanced courses, first v. second semester and part-time v. full-time faculty.

The committee predicted that the grades in upper level courses would be substantially higher compared to those in lower level courses. There was a sentiment that 80% A's and B's would not necessarily be inappropriate for higher level courses. The data revealed that this was modestly true for CCAS, more strongly positive for SBPA and not true at all for SEAS.

One of the more striking differences was noted in grades between first and second semester. Grades rose 0.6 to 0.7 points comparing the first and second semesters. Whether this represents withdrawal of freshmen who do poorly or some other phenomena was not clear.

There was a strong belief by the committee members that part-time faculty tended to grade higher than full-time faculty in order to assure themselves of good evaluations and well-attended classes. This tended to be true in the social sciences and the humanities, but not in mathematics, physical sciences or business courses. For example, in the introductory psychology course, there were 32.3% A's in the 18 sections taught by full-time faculty and 42.31% A's in the 13 sections taught by part-time faculty. On the other hand, for introductory sociology these numbers were 54.9% and 50.5% respectively. The greatest difference was in art history, 12% v 52.3%. Considering more than a dozen different introductory courses, there were 37.5% A's in the courses taught by full-time faculty and 46.8% A's among the part-time faculty courses. Review of this data reveals that only a very small portion of the grade-inflation issue can be traced to the use of part-time faculty

It is clear that the grade of "B" does not represent an "above average" performance. However, it is also clear that it is highly unlikely that grades will be rolled back such that the average student in a class gets a "C." A unilateral attempt to do that by GW would be unfair to our students and would, we believe, have a deleterious effect on undergraduate admissions and retention. Lowering the grade point average by simply reducing the number of A's and B's using any type of grading curve would make our students less competitive for graduate, law and medical schools. It would also have an impact on selected scholarship requirements. There is no doubt that this would lead to fewer applicants and substantially reduced retention, unless there is a true concerted national effort to "renormalize" grades. We can take some comfort in the fact that inflation is not limited to grades. Besides the obvious reminder at the gasoline pump, the SATs have become inflated. Scores of 800 were once a rarity. That is no longer true.

Despite the fact that the committee felt that simply lowering the average grade was not a viable option, there was considerable concern that the students were not being adequately challenged and that many were certainly capable of working harder without necessarily sacrificing their GPA. Surveys have shown that the expected grade was not a function of the difficulty of the subject, but was correlated with student's level of engagement and the conceptual understanding of the material. In that regard, there were several recommendations made by the committee.

The committee felt that there needs to be considerable thought devoted to the actual curriculum. How does a course fit into the overall curriculum. For example, does fulfilling the current science requirements truly benefit the non-science major? Should there be courses designed to give a greater overview of

science rather than the subject specific disciplines that are taught? This will require cross-departmental discussions, especially for those courses that are required for multiple majors. Courses need to have clearly defined goals and objectives that are rigorous enough to challenge our students. At the same time, it must be clearly defined how these goals and objectives are to be met.

Faculty development is a critical issue in this process. There was discussion regarding the need to teach new faculty (and graduate students) how to teach and how to effectively assess and grade students. Administration at either the University or the school level needs to take a role in providing basic instruction in these processes in order to improve quality as well as consistency. At one time classes were offered for incoming graduate assistants. Incoming GAs taught a brief class to other GAs and a faculty member. The classes were then videotaped and critiqued. This is still being done, but perhaps on somewhat of a haphazard basis.

Finally, the committee noted, once again, that rewards for teaching are not a high priority. In tenure and promotion decisions, research always wins. If GW wants to move into the ranks of research-competitive institutions this is necessary, but it doesn't preclude recognition of and rewards for excellence in teaching.

Faculty Senate  
**FISCAL PLANNING & BUDGETING COMMITTEE**  
*ANNUAL REPORT 2004-2005 TERM*  
May 13, 2005

The Fiscal Planning & Budgeting (FP&B) Committee met approximately once a month during this Senate term. As in the past, we received and discussed with University officers, primarily Don Boselovic, AVP for Budget, and Don Lehman, EVPAA, a wide range of financial and planning reports on the University. During this term the Committee was principally occupied with preparation and forwarding to the Faculty Senate a resolution on the budget process and a Special Report on the current year's budget.

**Resolution (04/7), "Recommending Improved Timing of the Budget Cycle to Permit Better Consultation with Faculty"** was submitted to the Faculty Senate and approved at its meeting of Jan. 21, 2005. The resolution urged that the budget cycle of the University be modified so that deans, especially if required to make programmatic budget cuts, will have time to consult their faculties as provided in the *Faculty Code*. The resolution also urged deans to follow through on this important responsibility when a new budget cycle allowed time for this.

A second major effort led to our *Special Report on FY 2005 Operating Budget and Five Year Capital Budget*, presented to the Faculty Senate at the same meeting, Jan. 21, 2005. In that report we provided the Senate and faculty generally with an overview of current and proposed operating and capital budgets. We also presented more detailed data on tuition dependency, debt management, endowment support for the operating budget, and on growth in applications and increases in admissions-selectivity.

Among special matters we reviewed were the University's changing debt situation as interest rates are being raised every quarter. In response to the information provided, one member of the Committee offered to explore some scenarios about how our future debt service might increase under several different assumptions about external developments, but was not afforded access to the information he needed to run these "stress tests"—a distressing and unexplained lack of cooperation.

Although we did not include in our Report a discussion of the Medical Center's budget, we did review their general results with the help of Medical Center faculty and Gerry Bass, Assoc. VP for Health Economics.

A significant amount of the Committee's effort this term focused on exploring how the budget-development process might be improved to provide more timely, forward-looking information about future budget parameters to the deans and FP&B, as requested in our Resolution (04/7). We understand that there have been fairly extensive discussions with the deans about this, which we applaud, but the Committee was unable to get much more than cursory information about the FY 06 budgets now under development for presentation to the Trustees in May. The lack of full cooperation with the Committee was accentuated when the EVP & Treasurer announced through an interview in the HATCHET plans for deferring merit raises which had never been mentioned to us.

In addition to meetings of the Committee, two members of the FP&B Committee (Cordes and Griffith) represented the Faculty Senate on the Task Force on Classroom Scheduling. This was established following the Senate's approval of Resolution (04/4) requesting that the Administration establish a high-level review, jointly with the Senate,

of the problems which had led to a discovery late in the Fall term of a lack of available classrooms for nearly 200 classes scheduled for Spring '05. They participated in preparation of a Task Force Report which will probably come to the Senate in the Fall of '05, and which will be informative to FP&B as indicative of an area where disjointed planning in the University illustrates the need for a more inclusive and open process.

The Committee was unable to complete work on the following issues, which are hereby made "continuing business" for next year's Committee:

1. *Further Study of Changing Ratio of FT Tenure-track to FT Non-tenure-track appointments.* -- This was an item to which we drew attention in our last two reports on the Operating and Capital budgets, but as it is a matter of great concern, we would like to develop a special report on this topic, if possible. Data has been assembled and analyzed and we anticipate preparing a report for the Senate in the Fall term.

2. *Study of the Budget Model and Budget Decision-Making Process* -- It becomes increasingly clear that the whole budget decision-making process needs to become more transparent to those outside the Treasurer's Office, so that there will be fewer tension-raising surprise announcements of budget changes significantly affecting faculty, such as the proposed plan to defer merit raises for 6 months. EVP and Treasurer Katz has promised to work with the FP&B Committee to develop better and earlier information-sharing in the coming year. This should be a major focus in the coming year.

3. *Review of the Medical Center Budget* -- We resumed this year, after a hiatus, our review of the Medical Center budget. Although we only look at macro characteristics we think this an effort worth continuing to pursue in the coming year, provided we continue to have representation on FP&B from Medical Center faculty.

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The Committee extends special thanks to Don Boselovic, Associate Vice President for Budget, and to Don Lehman, Executive Vice President for Academic Affairs, for their briefings and explanations for the Committee's benefit. The Chair thanks Lou Katz, Executive Vice President and Treasurer, for helpful conversations about the University's budgeting process.

Respectfully submitted on behalf of the Committee:

William B. Griffith, Chair (CCAS)

*Voting Members:*

Cherian, E. MGT, SBPM  
Cordes, J. PUB POL, CCAS  
Gowan, M. MGT, SBPM  
Ismail, C. RAD, SMHS  
Lang, R. ECE, SEAS  
Lindahl, F. ACCTCY, SBPM  
Packer, R. BIO, CCAS  
Ribar, D. , ECON, CCAS  
Sikka, N. EM, SMHS  
Solomon, H. ECON (emeritus)  
Watson, H. ECON, CCAS  
Yezer, A. ECON, CCAS

*Administrative Members:*

Bass, G., Assoc VP for Health Econ, Med  
Boselovic, D. Assoc. VP for Budget  
Charles, L. Ass't VP Health Affairs  
Chemak, R., Sr. VP Stud/Acad Sup Svcs  
Harding, H. Dean, ESIA  
Katz, L. Exec VP and Treasurer  
Lehman, D. Exec VP Acad Affairs  
Siggins, J. University Librarian  
Whitaker, R. Assoc. VP/Acad Dev /Cont Ed  
Wirtz, P. Mgt Sci, Exec Cte Liaison

## **Report of the Honors and Academic Convocations Committee**

**May, 2005**

The **Honors and Academic Convocations Committee** of the GW Faculty Senate met five times during the Fall semester of AY2004-05 to recommend (or not recommend) candidates for honorary degrees who had been nominated by members of the GW community. Our participation was to represent a new commitment on the part of the University Administration to maintain this essential link in the approval process. In particular, the Committee had been charged with the goal of assuring that outstanding achievement in the academic disciplines play a major role in the selection process, as is fitting for a University which has ambitions of greatness. This commitment has been only partly fulfilled for the candidates selected for awards at the May 2005 Commencement ceremonies.

The Committee used the three University criteria in selecting candidates for honorary degrees:

- 1) Achievement in the career field of the candidate;
- 2) Contributions outside this field, particularly public service;
- 3) GW affiliation or connection.

Sufficient qualifications are required in at least two of these criteria.

The Committee recommended 20 candidates, in 12 of the 13 categories that we established for honorary-degree recipients:

- 1) Letters and History (2)
- 2) Science (2)
- 3) Social Science (0)
- 4) Engineering (1)
- 5) Fine Arts (1)
- 6) Music (2)
- 7) Theatre and Film (2)
- 8) Medicine, Law, and Religion (2)
- 9) Business and Administration (2)
- 10) Politics, Public Service, and Military (1)
- 11) Journalism (2)
- 12) Sports and Entertainment (2)
- 13) Education (1)

We also recommended that 8 other persons who had previously been approved as candidates be reinstated, in 6 of our categories:

- Letters and History (2)
- Music (1)
- Theatre and Film (1)
- Medicine, Law, and Religion (2)
- Business and Administration (1)
- Journalism (1)

These recommendations were listed in a memorandum drafted for the President on December 20, 2004. Of these, only one from our first list and one from our second list were selected for the 2005 Commencement, along with three other persons not previously considered or vetted by the Committee.

We also were tasked with considering the procedures for awarding other honors in the name of GW but given by Schools and other subunits of the University. From our deliberations, including those at our sixth and final meeting of AY2004-05 in March 2005, emerged A Resolution for the Appropriate Regulation of Honors, Awards, or Distinctions by Units of the University (04/9), passed by the Faculty Senate at its April meeting, to the effect that Schools, but not other subunits of the University, be allowed to grant such awards, following procedures similar to those for honorary degrees.

The current Chair of the Committee also wishes to thank the Faculty Senate for its confidence, and respectfully, with every wish for the Committee's future success, hereby tenders his resignation.

Respectfully submitted,

**The Honors and Academic Convocations Committee**

Barry Berman, Chair

David Anderson (University Archivist)

Theodore Glickman

Walter Kahn

Jill Kasle (University Marshall)

Homayoun Khamooshi

Joan Regnell

Patricia Sullivan

Alan Wade

## Annual Report of the Physical Facilities Committee Academic Year 2004-2005

The Physical Facilities Committee met six times during the fall and spring semesters to review, as requested by the Senate Executive Committee: classroom space needs and the University's near-term and long-term plans to meet these needs; University arrangements for coordinating the maintenance of facilities, safety issues, and the cleaning/repair of buildings; departmental and school implementation of University procedures for emergency (disaster) situations; pending and planned construction and renovation projects and; continue to monitor the development progress on the old hospital site (Square 54).

The Physical Facilities Committee has participated (Gallo and E. Robinson) in the work of the task force studying the classroom "shortage" issue. Two major conclusions have been reached: One, there have been major problems in the registrar's/scheduling offices that have prevented efficient assignment of classes to classrooms. These problems arise from within the office itself and from behaviors in the Schools, Departments, and their Faculties. The task force has recommended actions to correct these behaviors. Two, until the behaviors are corrected, it is not possible to determine if there is a classroom shortage in the long-term. Thus, this question will need to be addressed when Monroe/Government classrooms are back on-line for the spring '07, and we are back to a full complement of classrooms. The task force recommends reevaluation by an on-going University-wide committee. In the short-term, the task force recommends that the University find 10 additional classrooms from, perhaps, the Marvin Center, the Law School, and the Medical Center to balance the loss of classrooms going offline during renovations.

Peter Comey, Director, Facilities reported on arrangements for coordinating the maintenance of facilities, safety issues, and cleaning/repair of buildings. Mr. Comey is only a few months at GW and was still, at the time of our meeting, continuing to assess the areas of committee interest. With respect to facilities management, there are no building managers, although Mr. Comey would like a person assigned to each building. There are dedicated groups per building. Facilities has a preventive maintenance schedule. There are far more tasks than hours and people. Problems in this area are attended to in the following order: mechanical/electrical/plumbing followed by roofs/windows followed by interior such as ceilings/carpeting/painting. The risk management unit, with a professional staff of two safety specialists and two safety managers, provides insurance coverage for the University, provides all safety training, and manages environmental health and safety concerns. Safety implementation is a facilities issue e.g., dealing with ice on sidewalks, overhead work, utilities maintenance. Protocols exist for regular maintenance on operating systems, sprinklers, fire extinguishers, and elevators. Outside contract support is provided in some areas such as alarms/sprinklers. Risk Management and the University Police Department are the eyes for uncovering safety issues by routine walk-throughs and an on-the-street daily presence. Mr. Comey sees much need for improvement in the operation of GW Facilities and submitted his top 10 wish list to the committee. Included among the items on this list were: align/improve operations; seek improvements in processing and completion of work tickets/requests; update building and property condition information; improve building inspection processes to preserve and extend University campus infrastructure; work to improve staffing and employment practices; improve customer service attitudes, function, and reception processes; improve departmental work efficiency; compel managers and supervisors to be out of their chairs and walking/overseeing



work operations in the field. Clearly, problems of a variety of types exist in Facilities. The committee believes that Mr. Comey has identified these. This committee should follow-up with the Director of Facilities in the next academic year on the progress or lack thereof in solving these problems.

John Petrie, Vice President for Public Safety and Emergency Management, reviewed University procedures for managing emergency (disaster) situations. Overall, the committee was well-satisfied with the University's emergency procedures but was less certain about follow-through by the schools and departments e.g., how is an emergency situation communicated by a school or department to students in the classroom? Not all departments have local plans. Such plans are not tracked by the University. It would seem prudent for all departments to have local plans. An effective University plan is only as useful as the ability to implement it at the local level. Vice President Petrie voiced a willingness to help track implementation plans at the departmental level.

Eve Dubrow, Associate Vice President for Operations, reviewed completed, on-going and planned future physical facilities-related projects as of 10/4/04. Those associated with academic space are summarized below:

#### ACADEMIC – MAIN CAMPUS

**Hall of Government / Speech and Hearing** - Department of Speech and Hearing has moved into the newly renovated facility on the lower level of the building. Interior work is complete. Exterior façade and ramp work, to include a new storefront entry, steps, ramp and railing have been installed and are in the process of being completed.

**Corcoran B13** - Physics laboratory renovation in progress. The work in the computer room is complete. The second phase of the work has been designed, and is scheduled to be underway before the end of the year. Coordination involving several relocations and a supplemental component of the Keck laser laboratory (below) have required adjustments to the project schedule.

**Corcoran 405** - A new laser laboratory for the Keck Foundation is in the design stage. Final consideration for power requirements and air conditioning are underway. Work is scheduled to commence later this fall with project completion anticipated in early 2005.

**Hall of Government / Monroe** - A design firm has been selected for the renovation/modernization project. Planning and design will begin this fall. Renovation is scheduled to commence in January 2006.

**School of Business** - New six-story building is currently under construction adjacent to Funger Hall. Completion schedule is on target for December 2005, in time for classes in the spring semester, 2006.

**Funger Hall** - Renovation to floors 3-6 is underway and will be completed by December 2005. Faculty and department offices will connect to the new School of Business addition. Project is on schedule and within budget.

**Old Main** - Renovation of office and support spaces has been completed. Faculty and staff from the Math, Economics, Political Science, and Speech and Hearing Science departments have been moved into building. Old Main will serve as interim space until work at Government and Monroe Halls is completed. That work is scheduled to commence in January, 2006.

**Gelman Library** - The project to provide for increased fire sprinkler coverage from the basement through the 5th Floor is in the design stage. The design phase is scheduled for completion in February 2005, with construction/installation of the systems scheduled to begin in March 2005.

**Gelman Starbuck's** - The project to install a new Starbuck's Coffee location on the ground floor at Gelman is underway. The University work to clear and prep the area has been completed. The tenant work is scheduled to begin by November and be completed by the end of the year.

**Academic Center** - Project planning and design are underway for an infrastructure systems project to upgrade the Academic Center fire alarm, elevators and emergency generators. The project will involve upgrades to the existing systems and is planned for implementation in 2005.

#### ACADEMIC-LOUDOUN CAMPUS

**Building 2 Renovation** - Renovation to provide two new classrooms, a new reception and lobby space, a connecting stair to the classrooms and the relocation of the Loudoun campus library on the lower levels is complete. The upper levels have also been modified to receive new computer classrooms, seminar rooms, and office space. The executive education programs and the Gelman Library (Loudoun) have been relocated (from Building I). Construction is currently underway to relocate university "back office" and support operations to be housed on the Loudoun campus. The first phase will involve the relocation of the payroll offices from 2100 'M' Street to the 2nd Floor on Building No. 2 / Loudoun before the end of November.

**Transportation Research Institute (TRI)** - New facility construction project has been placed on hold with only site stabilization and work to facilitate the suspension under way at this time.

#### ACADEMIC-LAW

**Law School Library and Classrooms** - Renovation to Burns and Stockton 2nd Floor added a new reading room, lounges and an entrance to the Law Library, as well as a separate copy center and computer classroom space. Five classrooms were renovated with full AV and furniture, and new historical exhibits were installed on the first floor of Stockton and Lerner Halls. A project to renovate Stockton 4th Floor is in the design stage. Construction is scheduled for summer 2005.

#### ACADEMIC-MED

**Ross Hall Façade / Garage Repair** -The garage repairs are complete. The first phase of the exterior facade repairs and coating has been completed and work has been suspended for the season (in accordance with the project schedule). The second phase of the exterior facade repair and coating project work will resume in May 2005.

**Ross Hall / Eye Street Mall** -The 'Eye' Street Mall project to create two faculty memorials and a memorial plaza, with a GW emblem in the center of a new granite plaza area, has been completed.

Craig Linebaugh, Associate Vice President for Academic Planning and Development, expanded upon the renovation of Monroe/Government. Construction is due to begin in 1/06 with the buildings back on-line in Fall/07. The renovation has tentative budget approval (in the millions). Four departments, now in Old Main (swing space), will occupy the renovated space in the Summer/Fall 07. Political Science will have the entire fourth floor, Economics the entire third floor, Math and Speech and Hearing Science will share the second floor. The goal has been to give appropriate space to the departments while saving as many classrooms as possible. Related to departmental space, each department submitted a detailed list of needs. Each will have a conference room, GTA space, and faculty offices with a target of 115-125 sq. ft. per office. Involvement of the departments in the planning will begin toward the last week of March. Data outlets, blackboards for offices, etc., will be aligned with the departments' wishes to the extent that the budget permits. Related to classroom space, there will be 27 classrooms in the buildings, a reduction from the current 30 classrooms. There will be approximately 325 fewer chairs – a trade-off to meet departmental space needs. Some classrooms will have instructional technology installed; others will be served by specially designed carts with a variety of equipment. The computer classroom will stay.

Related to the development of the old hospital site (Square 54), Vice President and Treasurer Louis Katz met with the committee. His report to the Committee followed shortly after his report on this subject to the Senate. His remarks can be found in the April 2005 Senate minutes. The committee approved fully of the plan to leverage the use of Square 54 to support academic excellence.

The Interim Director of the University Honors Program, Grae Baxter, spoke about the history of the Honors Program and identified a set of minimal physical facilities needs. The Program has just completed its 14<sup>th</sup> year. It originated in CCAS but became University-wide to support the Schools. The rationale for creation of the Program was "first and foremost" to recruit high-performing, high standardized score students, to improve the retention of the best students, and to create fellowship winners. The Program has fulfilled many of these goals e.g., honors students represent 10% of the undergraduate student population but have won 60% of the awards given to GW students, average SATs are 100 points higher than the incoming class as a whole, there is a higher retention of these students and higher three year graduation rates among them than the class they are a part of. The existence of this Program fits with the Strategic Plan for Excellence and is consistent with similar programs in Universities that we see as our competitors.

The Honors Program is located at two sites—on the Foggy Bottom campus in a townhouse on G Street which offers poor quality, shabby space and on the Mount Vernon campus in an office suite that is in good shape. The Director of the Program gave the committee a wish list of improvements for the G Street location. This location could be much improved with cleaning and repairs, refurbishment, construction of basement storage, addition of a new front sign comparable to others on campus buildings, and identification of a gathering space for honors students. The students "long for" a meeting place to share academic experiences among

themselves and with faculty. Peter Comey, Director, Facilities, suggested that the room on the first floor of Strong Hall, close to the townhouse, might serve this purpose. The Physical Facilities Committee urges the University to seriously consider making these improvements to the townhouse and to find a meeting space for the students, perhaps, the Strong Hall site. If interest continues in recruiting and retaining these high performance students, then improved facilities would be an asset.

Submitted by: Linda L. Gallo, Chair

Committee:

Hugo Junghenn  
Lile Murphree  
Louis H. Katz  
Bradley Sabelli  
Arthur Robinson

ex officio:

Peter Comey  
Eve Dubrow  
Charles Garris, Executive Committee Liaison  
Craig Linebaugh  
Jean Pec

TO: Art Wilmarth, Chair, Faculty Senate

FROM: Cynthia Lee, Chair, University and Urban Affairs Committee

RE: University and Urban Affairs Committee Annual Report

DATE: May 10, 2005

The University and Urban Affairs Committee met six times this year (three times in the Fall and three times in the Spring). Please see the interim report which I submitted in December 2004 for a summary of the Fall's activities.

Our main accomplishment this Spring was to put in motion a new GW-Foggy Bottom Speaker Series which will be held once a month at St. Mary's Court. After discussing this idea at our April meeting, Bernard Demczuk and I met with Bea Watson, Executive Director, St. Mary's Court on April 12, 2003. We decided to kick-off the speaker series this June with a talk on Elders and the Law by our colleague Suzanne Jackson, the head of GW's Elder Law Clinic. The second speaker will be our colleague Dan Solove. Professor Solove will speak about his book, *The Digital Person*, and privacy in the information age at St. Mary's Court in July. I made the initial contacts with Suzanne Jackson and Dan Solove. Once they agreed to speak, I turned over the scheduling to Bea Watson. At our last meeting, on May 5, 2005 (led by Professor Lisa Benton-Short), we came up with other possible speakers for our speaker series.

Additionally, Lisa Benton-Short, the incoming chair of this committee, has been working with Friends (the Foggy Bottom-West End and GW working group) on mapping projects in the Foggy Bottom community. Professor Benton-Short is supervising students who are mapping projects in the Foggy Bottom neighborhood for their geography class.

## **REPORT OF THE EXECUTIVE COMMITTEE**

**Lilien F. Robinson, Chair**

**May 13, 2005**

I would like to welcome the new members of the Senate. All of us look forward to working with you.

On behalf of the Executive Committee, I have the following report.

### **I. RESOLUTIONS**

The Faculty Senate acted upon ten resolutions during the 2004-05 session. As the first two resolutions of the session were forwarded to the administration last spring, the remaining eight resolutions have been forwarded to the President for his response. These responses will be distributed with the Senate agenda for the September meeting.

### **II. FACULTY PERSONNEL MATTERS**

I am pleased to report that no new grievances, and no new nonconcurrences, have been filed.

### **III. ACTIONS OF THE EXECUTIVE COMMITTEE**

The Executive Committee has requested that, once the proposal to create Professors of Teaching in the School of Business is reviewed by that School's Committee, it be forwarded to the Executive Committee for referral to the ASPP/PEAF Committees for their review and recommendations.

A proposed draft of a University Code of Ethics prepared by outside consultants, and reviewed by the University's General Counsel's Office is in the process of referral to the PEAF Committee for its review.

The Executive Committee has discussed at length the necessity of having faculty input into the formulation of Academic Technology Security Policy. Accordingly, it will request that the Faculty Development and Support Committee explore the best way in which to achieve this during the 2005-06 session.

### **IV. ANNUAL REPORTS**

Chairs of Senate Standing Committees for the 2004-05 session who have not yet submitted annual reports of their respective Committee should do so for distribution with the minutes of today's meeting.

The Executive Committee urges that new Committees begin their work as soon as possible, hopefully by the beginning of the fall semester. Over the course of the summer the

Executive Committee will be sending to Committee Chairs various matters for consideration.

Each Standing Committee has been assigned a member of the Executive Committee to serve as liaison between the two. These Executive Committee representatives will be arranging a meeting with Committee Chairs at the beginning of the fall semester.

#### V. ANNOUNCEMENTS

The next regular Senate meeting is scheduled for September 9, 2005. Resolutions and/or reports for the agenda of the September meeting should be submitted to the Executive Committee by August 19, 2005.

I would like to take this opportunity to extend sincere thanks to our Parliamentarian for many sessions, Scott Pagel, who has been elected as a Law School Senator for the next two years. I would also like to welcome our new Parliamentarian, Assistant Dean David Johnson, who has already discharged Parliamentary duties at two of our meetings. I would also like to welcome the newly-elected members of the Faculty Senate.

In closing, I wish to extend very best wishes for a healthy, happy, and productive summer.

Thank you.

**THE GEORGE WASHINGTON UNIVERSITY**  
**Washington, DC**

**The Faculty Senate**

**May 5, 2005**

**The Faculty Senate will meet on Friday, May 13, 2005 at 2:10 p.m. in the Marvin Center, Room 310.**

**AGENDA**

**1. Call to order**

**2. IN MEMORIAM**

**Charles Rudolph Naeser, Professor Emeritus of Chemistry**

**3. Introduction of new Senate members**

**4. Approval of the minutes of the regular meeting of April 8, 2005, as distributed**

**5. Resolutions:**

**A RESOLUTION TO ENDORSE THE SEXUAL HARASSMENT POLICY AND PROCEDURES OF THE GEORGE WASHINGTON UNIVERSITY (05/1), Chair, Committee on Professional Ethics and Academic Freedom (Resolution 05/1 is attached and the Policy and Procedures are appended)**

**6. Introduction of Resolutions**

**7. Annual Report on the College of Professional Studies: Dean Roger Whitaker**

**8. Update on the Joint Task Force on Classroom Scheduling and Availability of Classrooms: Professor Linda L. Gallo**

**9. General Business:**

**a) Approval of dates for regular Senate meetings in the 2005-06 Session recommended by the Executive Committee as follows: May 13, 2005, September 9, 2005, October 14, 2005, November 11, 2005, December 9, 2005, January 20, 2006, February 10, 2006, March 10, 2006, April 14, 2006**

**b) Nomination for appointment by the President of Assistant Dean David M. Johnson (GWLS) as Faculty Senate Parliamentarian for the 2005-06 Session**

**c) Nomination for election of Chairs and members of Faculty Senate Standing Committees for the 2005-06 Session (list to be distributed)**



- d) Nominees for appointment by the President to the following Administrative Committee: Joint Committee of Faculty and Students: Sylvia A. Marotta, Faculty Co-Chair; Maria Cseh, Mamoon Hammad, Meta D. Jones, Stephen McGraw, and Phyllis Ryder
  - e) Nomination for appointment by the Board of Trustees to the following Committees: Trustees' Committee on Academic Affairs: Lilien F. Robinson; Trustees' Committee on Student Affairs: Sylvia A. Marotta; Trustees' Committee on External Affairs: Lisa Benton-Short; Trustees' Committee on Infrastructure and Information Technology: Philip W. Wirtz
  - f) Nomination for election by the Faculty Senate to the Student Grievance Review Committee: Mary Beth Bigley, Jeffrey Brand-Ballard, Katherine Goodrich, Susan LaLecheur, Patrick McHugh, Mark Mullen, Margaret Plack, Thomas Quasney, and Edward Robinson
  - g) Report of the Executive Committee: Lilien F. Robinson, Chair
  - h) Annual Reports of Senate Standing Committees: Honors and Academic Convocations (report attached)
  - i) Tributes to retiring faculty
- 10. Brief Statements (and Questions)
  - 11. Adjournment

*Elizabeth A. Amundson*

Elizabeth A. Amundson  
Secretary

Attachments

**DRAFT 5/5/05 (not yet approved by the Faculty Senate Committee on Professional Ethics and Academic Freedom)**

**A RESOLUTION TO ENDORSE THE SEXUAL HARASSMENT POLICY AND PROCEDURES OF THE GEORGE WASHINGTON UNIVERSITY (05/1)**

**WHEREAS**, in Resolution 04/3, adopted on November 12, 2004, the Faculty Senate endorsed the reinstatement of the Interim Policy and Procedures Governing Sexual Harassment Complaints, as originally adopted by the Faculty Senate in Resolution 98/5, with certain further amendments; and

**WHEREAS**, Resolution 04/3 also provided that (i) the Faculty Senate and the University Administration would create a joint ad hoc committee charged with the mission of preparing a proposed new policy and procedures governing sexual harassment complaints; and (ii) the ad hoc committee's proposed new policy and procedures would be reported to the Faculty Senate's Committee on Professional Ethics and Academic Freedom ("PEAF Committee") for its expeditious review and, following such review, would be referred to the Faculty Senate with the PEAFC Committee's comments and recommendations; and

**WHEREAS**, in accordance with Resolution 04/3, the Faculty Senate and the University Administration created an ad hoc University Committee on Sexual Harassment Policy (the "Ad Hoc University Committee"), and, on April 19, 2005, the Ad Hoc University Committee unanimously proposed a document entitled "Sexual Harassment Policy and Procedures" for adoption by the University (the "Policy and Procedures"); and

**WHEREAS**, at its most recent meeting in February 2005, the University's Board of Trustees requested that the Faculty Senate endorse, if possible, a new policy and procedures governing sexual harassment complaints for consideration by the Board of Trustees during its meeting on May 19-20, 2005; and

**WHEREAS**, the PEAFC Committee has reviewed the Ad Hoc University Committee's proposed new Policy and Procedures and **[insert discussion of PEAFC Committee's comments and recommendations, including a summary description of any proposed amendments to the Ad Hoc University Committee's proposed Policy and Procedures]**; and

**WHEREAS**, after reviewing the proposed new Policy and Procedures, the Faculty Senate has determined that the Policy and Procedures satisfy the following important objectives: (i) prohibiting sexual harassment by any student, staff member, faculty member, or other person in the University community, (ii) encouraging reporting of sexual harassment before it becomes severe or pervasive, (iii) identifying persons in the University Administration to whom incidents of sexual harassment may be reported, (iv) prohibiting retaliation against persons who bring sexual harassment complaints, (v) assuring confidentiality to the full extent consistent with the need to resolve complaints

of sexual harassment appropriately and fairly, (vi) assuring that allegations of sexual harassment will be promptly, thoroughly and impartially addressed with appropriate regard for the interests of the persons involved and principles of fairness and due process, and (vii) providing for appropriate corrective action to be taken against persons who have engaged in sexual harassment;

**NOW, THEREFORE, BE IT RESOLVED BY THE FACULTY SENATE  
OF THE GEORGE WASHINGTON UNIVERSITY:**

That the Faculty Senate hereby endorses the "Sexual Harassment Policy and Procedures" as unanimously proposed by the University Committee on Sexual Harassment Policy on April 19, 2005, for adoption by the University **[insert summary description of any amendments recommended by the Faculty Senate]**.

Faculty Senate Committee on Professional Ethics and Academic Freedom  
May \_\_, 2005 **[Note: This Committee is scheduled to meet on May 10, 2005.]**

## SEXUAL HARASSMENT POLICY AND PROCEDURES

As unanimously adopted by the University Committee on Sexual Harassment Policy on  
April 19, 2005

### First principles of this policy

The George Washington University is committed to maintaining a positive climate for study and work, in which individuals are judged solely on relevant factors, such as ability and performance, and can pursue their activities in an atmosphere that is free from coercion and intimidation. The University mission statement provides that the University "values a dynamic, student-focused community stimulated by cultural and intellectual diversity and built upon a foundation of integrity, creativity, and openness to exploration of new ideas." The University is committed to free inquiry, free expression, and the vigorous discussion and debate on which advancement of its mission depends. Sexual harassment is destructive of such a climate and will not be tolerated in the University community.

### Objectives

This policy and these procedures aim to inform members of the University community what sexual harassment is and what they can do should they encounter or observe it. The University prohibits sexual harassment by any student, staff member, faculty member, and others in the University community; encourages reporting of sexual harassment before it becomes severe or pervasive; identifies accessible persons to whom sexual harassment may be reported; prohibits retaliation against persons who bring sexual harassment complaints; assures confidentiality to the full extent consistent with the need to resolve the matter appropriately; assures that allegations will be promptly, thoroughly, and impartially addressed; and provides for appropriate corrective action.

The ultimate goal is to prevent sexual harassment, through education and the continuing development of a sense of community. But if sexual harassment occurs, the University will respond firmly and fairly. As befits an academic community, the University's approach is to consider problems within an informal framework when appropriate, but to make formal procedures available for use when necessary.

### What sexual harassment is

The University has adopted the following definition of sexual harassment, substantially derived from Equal Employment Opportunity Commission and Department of Education statements:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is explicitly or implicitly made a term or condition of academic participation or activity, educational advancement, or employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions that affect the individual; (3) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or limiting participation in University programs; or (4) the intent or effect of such conduct is to create an intimidating, hostile, or offensive academic or work environment. Sexual harassment may occur without regard to either party's gender.

This policy addresses only sexual harassment and does not deal with other forms of gender discrimination. For other University policies dealing with gender discrimination, consult The George Washington University Office of Equal Employment Opportunity.

Nothing in this policy limits academic freedom, guaranteed by the Faculty Code, which is a pre-eminent value of the University. This policy shall not be interpreted to abridge academic freedom. Accordingly, in an academic setting expression that is reasonably designed or reasonably intended to contribute to academic inquiry, education or debate on issues of public concern shall not be construed as sexual harassment.

A person who commits sexual harassment in violation of this policy will be subject to disciplinary action, up to and including expulsion or termination.

### Prevention; dissemination of information

The University is committed to preventing and remedying sexual harassment of students, faculty, and staff. To that end, this policy and these procedures will be disseminated in the University community. In addition, the University will sponsor programs to inform students, faculty, and staff about sexual harassment and the problems it causes; advise members of the University community of their rights and responsibilities under this policy and these procedures; and train personnel in the administration of the policy and procedures. In particular, the University shall assure that the Sexual Harassment Response Coordinator (in the Office of the Vice President and General Counsel) who is designated by the University to conduct the consultation and the administrative review processes described below and other personnel involved in responding to allegations of sexual harassment receive formal training by one or more individuals with appropriate expertise.

### Consensual relationships

Relationships that are welcomed by the parties do not entail sexual harassment, and are beyond the scope of this policy. Whether a relationship is in fact welcomed will be gauged according to the circumstances; special risks are involved when one party -- whether a faculty member, staff member or student -- is in a position to evaluate or exercise authority over the other. It is inappropriate for a faculty member or teaching assistant to have sexual relationships with a student who is currently in his/her course or is subject to his/her supervision or evaluation. It is similarly inappropriate for someone in a supervisory position to have a sexual relationship with an individual in a subordinate position. Even when both parties previously consented to a sexual relationship, a charge of sexual harassment may be based on subsequent conduct that one of them does not welcome. Members of the University community are cautioned that consensual relationships can in some circumstances entail abuse of authority, conflict of interest, or other adverse consequences that may be addressed in accordance with pertinent University policy and practice.

### What to do

Three possible levels of procedural redress are available to members of the University community who believe that sexual harassment has occurred -- consultation, administrative review, and formal hearing. Often, concerns can be resolved through consultation or after administrative review. If the matter is not satisfactorily resolved through the consultation or administrative review procedure, a formal hearing may be initiated.

### Consultation

A member of the University community who is uncomfortable with one or more instances of conduct of a sexual nature that may be inappropriate (even if the person is unsure whether the conduct constitutes sexual harassment), may discuss the matter with the person who has engaged in the behavior or with his or her department chair, dean or staff supervisor; the Associate Vice President and Dean of Students; the Director of the Office of Equal Employment Activities; the Assistant Vice President for Faculty Recruitment and Personnel Relations; or the Sexual Harassment Response Coordinator ("Coordinator") who shall be consulted when appropriate by any of the foregoing persons. (See "Confidentiality" paragraph below.) In response to a request for consultation, the Coordinator will provide a copy of the sexual harassment policy and procedures, respond to questions about them, assist in developing strategies to deal with the matter, and work in accordance with the procedure set forth in Appendix A.

### Administrative review

An administrative review, which is initiated in the same manner as a consultation, entails an investigation by the Coordinator of the charges in accordance with Appendix B.

### Formal hearing procedure

The formal hearing procedure is available when the administrative review procedure fails to resolve satisfactorily the allegation of sexual harassment. The person who made the allegation of sexual harassment (the "Complainant") or a responsible University official may initiate a formal hearing against the person who allegedly engaged in sexual harassment (the "Respondent").

A formal hearing is initiated by the Complainant or a responsible University official by written request submitted to the Associate Vice President for Human Resources or his/her designee ("AVPHR"). The request to proceed with a formal hearing is due within 30 days after receipt of information from the responsible University official of the disposition of the administrative review procedure. The AVPHR will inform the requesting party of the process that will be followed and provide a copy of the applicable procedure.

The Code of Student Conduct will govern the formal hearing procedure when both parties are students. The applicable staff grievance procedures will govern the formal hearing procedure when both parties are staff members. The formal hearing will be held in accordance with the Formal Hearing Procedures set forth in Appendix C, when:

- (a) the Complainant is a student and the Respondent a faculty or staff member;
- (b) the Complainant is a faculty member and the Respondent a staff member or student;
- (c) the Complainant is a staff member and the Respondent a faculty member or student; or
- (d) the Complainant and Respondent are faculty members.

### Outcomes

If the administrative review procedure or formal hearing procedure results in a determination that sexual harassment occurred, the findings and recommendations shall be referred to the appropriate University official for imposition of corrective action, including sanctions that the official is authorized to impose; provided, however, that no final sanction except for a

written reprimand may be imposed based on an administrative review without the Respondent's written consent. A range of relevant considerations should be taken into account in determining the extent of sanctions, such as the severity of the offense, the effect of the offense on the victim and on the University community, the consequences of the sanction to the Respondent, and the Respondent's record of past offenses, if any. Sanctions may include, but are not limited to, a written reprimand, suspension, expulsion, or termination of employment; provided that a tenured faculty member may not be dismissed except in accordance with the procedures set forth in the Faculty Code, Section F. The University may impose interim corrective action at any time, if doing so reasonably appears required to protect a member of the University community.

#### Redress of disciplinary action

Nothing in this policy or these procedures shall be deemed to revoke any right that any member of the University community may have to seek redress of a disciplinary action, such as a faculty member's right to maintain a grievance under the Faculty Code.

#### Confidentiality

The Coordinator and other investigators and decision-makers will strive to maintain confidentiality to the full extent appropriate, consistent with the need to resolve the matter effectively and fairly. The parties, persons interviewed in the investigation, persons notified of the investigation, and persons involved in the proceedings will be advised of the need for discretion and confidentiality. Inappropriate breaches of confidentiality may result in disciplinary action.

The identity of the Complainant need not be disclosed to the Respondent at the initial consultation or at the administrative review stages, but such disclosure will be necessary at the formal hearing stage. University officials initially consulted by the Complainant, including the Coordinator, and other investigators and decision-makers may, at the Complainant's request, agree to keep the Complainant's identity confidential and such agreement will be binding throughout the consultation and administrative review stages. The Complainant whose identity has not been released earlier will be required to permit release of such information to the Respondent in order to initiate the formal hearing procedure.

#### Retaliation

Retaliation against a person who reports or complains of sexual harassment or who provides information in a sexual harassment investigation or proceeding is prohibited. Alleged retaliation will be subject to investigation and may result in disciplinary action up to and including termination or expulsion.



#### False claims

A person who knowingly makes false allegations of sexual harassment, or who knowingly provides false information in a sexual harassment investigation or proceeding, will be subject to disciplinary action.

#### Time limits

The University aims to administer this policy and these procedures in an equitable and timely manner. Established time limits may be extended for good cause, upon request. Persons making allegations of sexual harassment are encouraged to come forward without undue delay.

#### Interpretation of policy

The Office of the Vice President and General Counsel is available to provide advice on questions regarding interpretation of this policy and these procedures.

#### Appendix A: Consultation Procedure

1. The consultation consists of one or more meetings between the Coordinator and the person who requests the consultation.
2. The Coordinator will provide a copy of the sexual harassment policy and procedures and respond to questions about them. The Coordinator may address and clarify the matter with the person, assist in developing strategies to deal with the matter, recommend counseling or other assistance, determine that no further action is necessary, or initiate the administrative review procedure under Appendix B.
3. The Coordinator will prepare a record of the consultation, which will be maintained by the Office of the Vice President and General Counsel. The record will be considered confidential to the full extent consistent with fairness and the University's need to take preventive and corrective action (see also "Confidentiality" above). If the record of the consultation includes an allegation of sexual harassment against a person named in the record, the record will not be disclosed to any person outside the office of Vice President and General Counsel, unless the person so named is notified in writing, and absent compelling reasons to the contrary, the notification will precede the disclosure.
4. When the Coordinator has reason to believe that criminal conduct may have occurred or that action is necessary to protect the health or safety of any individual, the University may, as the Office of the Vice President and General Counsel determines, refer the matter to appropriate authorities.
5. Although consultation may be requested and an administrative review procedure pursued within any reasonable time after the events giving rise to the consultation or administrative review procedure, persons who believe they have been subjected to or who otherwise have observed sexual harassment are encouraged to seek assistance from the University through these procedures promptly.

## Appendix B: Administrative Review

1. Following consultation, a person who alleges sexual harassment (the "Complainant") has the right to pursue an administrative review procedure if not satisfied with the results of the consultation.
2. The Coordinator will ask the Complainant to provide a factual account of the alleged harassment. The Coordinator may assist the Complainant to prepare a signed statement. If the Complainant declines to provide a signed statement, the Coordinator will prepare a written summary of the Complainant's oral allegations (see "Confidentiality" above).
3. The Coordinator will inform the Respondent of the allegations in sufficient detail to permit an informed response, including providing the Respondent with a written summary of the material allegations.
4. The Coordinator will investigate the alleged harassment as promptly as circumstances permit, will afford the Respondent a reasonable opportunity to respond to the allegation, and will advise the parties and persons interviewed or notified about the alleged harassment of the need for discretion and confidentiality.
5. Upon initiating an investigation, the Coordinator may inform the University officials who would be charged with recommending corrective and disciplinary action ("responsible University officials") of the administrative review procedure.
6. Upon concluding the investigation, the Coordinator will report his or her findings on the matter to the responsible University official. The Coordinator will make every effort to resolve the matter informally among the parties, subject to the approval of the responsible University official. The informal resolution of the matter may include corrective or disciplinary action; provided, however, that no final corrective action except for a written reprimand may be taken based on an administrative review procedure without the Respondent's written consent. Any such corrective or disciplinary action shall be imposed by the responsible University official and be within his or her discretion and consistent with his or her authority. The University may take interim corrective action at any time if doing so reasonably appears to be required to protect a member of the University community.

7. If the Coordinator is unable to resolve the matter informally, the responsible University official shall determine, based on the report obtained from the Coordinator, whether or not to recommend the imposition of one or more final sanctions against the Respondent. If the recommended disposition involves a final sanction other than a written reprimand, and if the Respondent does not give written consent to the imposition of such sanction, the responsible University official shall determine whether to initiate a formal hearing against the Respondent.
8. A responsible official will notify the parties of the disposition of the administrative review procedure; provided, that the official may omit from the notice portions of the foregoing information that the University is required by law to treat as confidential. (See "Confidentiality" above for restrictions on disclosure of information.)
9. If dissatisfied with the disposition of the administrative review procedure, the Complainant may initiate the formal hearing procedure.

## Appendix C: Formal Hearing Procedure -- Special Panels

### A. Initiation of special panel procedure

1. The Complainant or a responsible University official must file a written request with the Associate Vice President for Human Resources or his/her designee ("AVPHR") in order to initiate a formal hearing. The request must be filed within ~~30~~ days after receipt of information from a responsible University official of the disposition of the administrative review (See Appendix B). The written request for a formal hearing (the "complaint") must include a description of the material facts related to the alleged sexual harassment, must state why the disposition of the matter should be modified or overturned, and may include a statement of the relief requested.
2. The AVPHR will send a copy of the complaint, including the name of the person alleged to have been sexually harassed, to the responding party.
3. An aim of the special panel process is to complete, if feasible, the formal complaint procedure within 45 business days of the AVPHR's receipt of the formal complaint request.

### B. Establishment of special panels

1. A complaint filed under Appendix C will be heard by a six-member panel selected by lot by the AVPHR as described in Section C. Panelists will be selected from a pool of 18, six of whom are faculty members appointed by the Vice President for Academic Affairs, with the concurrence of the Council of Deans and the Faculty Senate Executive Committee. If the concurrence does not occur within 30 days, the Executive Vice President for Academic Affairs shall select the faculty panel members. Six members of the pool shall be staff employees appointed by the AVPHR; and six members of the pool shall be students appointed by the Associate Vice President and Dean of Students.
2. Each appointee to the pool ordinarily will serve a two year term. The appointing official should stagger the appointments so that, if feasible, the terms of not more than five of his or her appointees expire in any year.
3. An appointee to the pool may be removed and replaced at any time, at the discretion of the appointing official. The appointing official should promptly fill vacancies in the pool according to the procedure in Section B.1 above.

4. The AVPHR will conduct mandatory training of all appointees to the pool at the time of appointment and periodically thereafter. No pool member shall receive such training while serving on a special panel. Training will address roles and responsibilities of panel members, hearing procedures, applicable policies, and other techniques and standards pertinent to the complaint and hearing process.

C. Selection of panel

1. Within five business days after receiving the written request to proceed with a formal complaint (see A.1, above), the AVPHR will select by lot the six-member panel from the pool. Two of the panel members will be drawn from the same status group as the Respondent; two panel members will be drawn from the same status group as the Complainant; and two panel members will be drawn from among the pool members in the remaining status groups. No member of a faculty member's department or of a staff member's administrative department may serve on the special panel.
2. The AVPHR will notify the parties of the panelists' names. Within three business days of receipt of the notice, either party may submit to the AVPHR a written objection to designation of any panel member. The objection must clearly state the reasons for the objection. The AVPHR may, at his or her discretion, replace a challenged panelist with another member of the pool from the same status group.
3. A designated panelist who at any time has or may reasonably be perceived as having a conflict of interest or is otherwise unable to serve on a special panel shall recuse himself or herself, and notify the AVPHR of the recusal. For sound reasons, which shall be disclosed to the parties and panel members, the AVPHR, in his or her discretion, may replace a panel member. The successor panel member shall be selected by lot by the AVPHR from among pool members of the recused or replaced panel member's status group.

D. Special panel organization

1. Within five business days after their appointment, special panel members will select a chairperson and review the request for a hearing.
2. The special panel may request clarification or additional information from the AVPHR or the parties. Panel members may not communicate with either party outside the presence of the other party. The special panel shall provide both parties with copies of all written communications sent to either party.

E. Scheduling hearing

1. The special panel will set a hearing date and time. The panelists will meet within a reasonable time, normally within five business days after their appointment, to select a chairperson and set the hearing date and time. The hearing will be held within a reasonable time, normally within 20 business days after the special panel is appointed.
2. The special panel chairperson will notify the parties of the hearing date, time, and location at least ten business days before the hearing. Within two business days after receiving notice of the hearing, a party with a scheduling conflict may submit to the chairperson a request for postponement. The chairperson, after consulting the special panel members, has discretion to reschedule the hearing. All parties will be notified as soon as feasible if the hearing is rescheduled.
3. If a party does not appear for the hearing within 30 minutes after the scheduled time, the special panel will decide whether to reschedule the hearing or proceed.

F. Conduct of hearing

1. The special panel chairperson will preside at the hearing and decide procedural issues. Only persons participating in the proceeding may be present during the hearing except as otherwise provided in these procedures. The hearing will be conducted in the following sequence:
  - (a) Preliminary matters. The chairperson will introduce the parties, their counsel or advisors, and the special panel members; review the order of proceedings; explain procedures that govern use of the tape recorder; and present a brief summary of the complaint.
  - (b) Opening statements. The party who requested the hearing may make an opening statement. The responding party may then make an opening statement. Each opening statement shall not exceed 15 minutes.
  - (c) Presentation of complaint. The party who requested the hearing may present to the panel testimony, witnesses, documents or other evidence. Following the testimony of the party who requested the hearing, and of each witness, the responding party may ask questions.

- (d) Response to complaint. The party who responded to the complaint may present testimony, witnesses, documents or other evidence to the panel. Following the testimony of the responding party, and of each witness, the party who requested the hearing may ask questions.
  - (e) Closing statements. The party who requested the hearing may make a closing statement. The responding party may then make a closing statement. Each closing statement shall not exceed 15 minutes.
- 2. Special panel members may ask questions of parties or witnesses at any time during the hearing.
  - 3. The hearing will not be conducted according to strict rules of evidence. However, the special panel chairperson may limit or exclude irrelevant or repetitive testimony, and may otherwise rule on what evidence may be offered. To determine whether a persistent pattern of harassment exists, the special panel may request that appropriate University officials (in consultation with the Office of the Vice President and General Counsel) provide evidence of prior written reprimands and/or sanctions imposed against the Respondent based on past incidents of sexual harassment as a part of the hearing record.
  - 4. When the hearing cannot be completed in one session, the special panel chairperson may continue the hearing to a later date and time.
  - 5. The hearing will be recorded on audiotape. Either party may obtain from the AVPHR a copy of the recording at reasonable cost, on written request.

G. Witnesses

- 1. Each party (and the panel) may ask witnesses to testify at the hearing, but no person may be compelled to testify. However, each party shall have a right to know prior to the hearing the contents of and the names of the authors of any written statements that may be introduced against him or her, and the right to rebut unfavorable inferences that might be drawn from such statements.
- 2. At least three business days before the hearing, each party must provide the chairperson, the AVPHR and the other party a list of witnesses he or she intends to present at the hearing.
- 3. The special panel may request that additional witnesses appear. The AVPHR will, if feasible, arrange for the appearance of these witnesses.



4. Each party is responsible for notifying its witnesses of the hearing date, time, and location. A hearing will not necessarily be postponed because a witness fails to appear.
5. In identifying persons to appear as witnesses, parties should be aware that live testimony is preferred and that the panel may give less weight to the evidence of a witness who is able but unwilling to appear.
6. All witnesses (except for the Complainant and the Respondent) will be excluded from the hearing before and after their testimony. A witness may be recalled at the discretion of the special panel chairperson.
7. A University employee must obtain permission from his or her supervisor to be absent from work to appear at a hearing. Employees will be paid while appearing at a hearing during working hours, but not for other time spent on the complaint during or outside working hours.
8. A student must obtain permission from his or her professor to be absent from class to appear at a hearing.
9. Supervisors and professors should be aware of the importance of hearings and not unreasonably withhold permission to appear at a hearing. If an employee or student needs assistance in obtaining permission to appear at a hearing, he or she should contact the AVPHR.

#### H. Advisors

1. Each party may be accompanied by not more than two advisors, who may be University employees or other persons the party selects; provided that not more than one of the advisors shall be acting in an attorney capacity.
2. No advisor, including an attorney who may be acting as an advisor, may speak on behalf of the party, make an opening or closing statement, present testimony or examine witnesses. The advisor's role is limited to assisting the party to prepare for the hearing and providing the party private advice during the hearing.
3. A Complainant or Respondent who plans to be accompanied by an attorney or other advisor at the hearing must notify the panel chairperson and the other party at least five business days before the hearing.

- 4 The special panel may request or the University may provide a University-furnished attorney or other advisor to be present at any hearing to advise the special panel.
5. The University may have an observer present at any hearing.

I. Decision after hearing

1. After the hearing, the special panel will meet in closed session to review the hearing and make a decision on the complaint. In order to make a determination that sexual harassment occurred, the decision must be supported by the preponderance of the evidence and approved by a majority of the special panel members.
2. The special panel's report of its decision must be in writing and set forth findings of fact, conclusions, and, where appropriate, recommendations for corrective or disciplinary action.
3. The special panel will submit the report of its decision to the AVPHR within ten business days after the hearing ends.
4. If the special panel concludes that sexual harassment occurred, the AVPHR will forward a copy of the special panel report to a University official responsible for implementing corrective or disciplinary action. After reviewing the special panel report, a responsible University official will decide whether to impose corrective or disciplinary action, consistent with that official's authority. A responsible University official will notify the parties of the disposition, and the basis for that disposition. A responsible University official shall ordinarily send a copy of the special panel report to the parties (at their home addresses of record, by courier, overnight mail or certified mail, return receipt requested) except for portions that the university is required by law to treat as confidential.

J. Review of special panel decision

1. A party dissatisfied with a special panel decision may submit a request for review to the AVPHR, who will transmit the request to the vice president(s) responsible for oversight of the status groups to which the parties belong. For example, when the Complainant is a staff member and the Respondent a faculty member, the AVPHR and the Vice President for Academic Affairs will jointly review the matter; when Complainant and Respondent are both faculty members, the Vice President for Academic Affairs will review the matter.
2. The request for review must be in writing and set forth reasons why the special panel decision should be modified or overturned. The review must be based on the hearing record and may not present new evidence or testimony.
3. The request for review must be submitted within 15 business days after the party's receipt of the special panel decision. If the request is not received by then, the special panel decision will be the final University decision on the complaint.
4. The Vice President(s) will strive to issue a final decision on the review within 20 business days following submission of the request for review. The decision of the Vice President(s) shall be the final decision on the complaint within the University.
5. When a special panel decision that includes a finding of sexual harassment is final, or when the final decision on a review is issued, the AVPHR will provide a copy of it to the University official(s) responsible for implementing corrective or disciplinary action. Any corrective or disciplinary action taken shall be within the discretion and consistent with the authority of the responsible University official. A range of relevant considerations should be taken into account in determining the extent of sanctions, such as the severity of the offense, the effect of the offense on the victim and on the University community, the consequences of the sanction to the Respondent, and the Respondent's record of past offenses, if any. Respondent will be promptly notified of the outcome.
6. A responsible University official shall ordinarily send a copy of the final decision to the parties (at their home addresses of record, by courier, overnight mail or certified mail, return receipt requested) except for portions that the university is required by law to treat as confidential.

## **Report of the Honors and Academic Convocations Committee**

**May, 2005**

The **Honors and Academic Convocations Committee** of the GW Faculty Senate met five times during the Fall semester of AY2004-05 to recommend (or not recommend) candidates for honorary degrees who had been nominated by members of the GW community. Our participation was to represent a new commitment on the part of the University Administration to maintain this essential link in the approval process. In particular, the Committee had been charged with the goal of assuring that outstanding achievement in the academic disciplines play a major role in the selection process, as is fitting for a University which has ambitions of greatness. This commitment has been only partly fulfilled for the candidates selected for awards at the May 2005 Commencement ceremonies.

The Committee used the three University criteria in selecting candidates for honorary degrees:

- 1) Achievement in the career field of the candidate;
- 2) Contributions outside this field, particularly public service;
- 3) GW affiliation or connection.

Sufficient qualifications are required in at least two of these criteria.

The Committee recommended 20 candidates, in 12 of the 13 categories that we established for honorary-degree recipients:

- 1) Letters and History (2)
- 2) Science (2)
- 3) Social Science (0)
- 4) Engineering (1)
- 5) Fine Arts (1)
- 6) Music (2)
- 7) Theatre and Film (2)
- 8) Medicine, Law, and Religion (2)
- 9) Business and Administration (2)
- 10) Politics, Public Service, and Military (1)
- 11) Journalism (2)
- 12) Sports and Entertainment (2)
- 13) Education (1)

We also recommended that 8 other persons who had previously been approved as candidates be reinstated, in 6 of our categories:

- Letters and History (2)
- Music (1)
- Theatre and Film (1)
- Medicine, Law, and Religion (2)
- Business and Administration (1)
- Journalism (1)

These recommendations were listed in a memorandum drafted for the President on December 20, 2004. Of these, only one from our first list and one from our second list were selected for the 2005 Commencement, along with three other persons not previously considered or vetted by the Committee.

We also were tasked with considering the procedures for awarding other honors in the name of GW but given by Schools and other subunits of the University. From our deliberations, including those at our sixth and final meeting of AY2004-05 in March 2005, emerged A Resolution for the Appropriate Regulation of Honors, Awards, or Distinctions by Units of the University (04/9), passed by the Faculty Senate at its April meeting, to the effect that Schools, but not other subunits of the University, be allowed to grant such awards, following procedures similar to those for honorary degrees.

The current Chair of the Committee also wishes to thank the Faculty Senate for its confidence, and respectfully, with every wish for the Committee's future success, hereby tenders his resignation.

Respectfully submitted,

**The Honors and Academic Convocations Committee**

Barry Berman, Chair

David Anderson (University Archivist)

Theodore Glickman

Walter Kahn

Jill Kasle (University Marshall)

Homayoun Khamooshi

Joan Regnell

Patricia Sullivan

Alan Wade

**THE GEORGE WASHINGTON UNIVERSITY**  
Washington, D.C.

The Faculty Senate

February 28, 2006

The Faculty Senate will meet on Friday, March 10, 2006, at 2:10 p.m., in the Alumni House,  
1925 F Street, NW, First Floor

**AGENDA**

1. Call to order
2. Approval of the minutes of the regular meeting of February 10, 2006, as distributed
3. IN MEMORIAM:  
  
Dr. Howard C. Pierpont, Associate Professor Emeritus of Surgery
4. A RESOLUTION ON ESTABLISHING CRITERIA FOR APPOINTMENTS, REAPPOINTMENTS, AND PROMOTION OF REGULAR, ACTIVE-STATUS FACULTY SERVING IN NON-TENURE-ACCRUING APPOINTMENTS (05/6); Committee on Appointment, Salary, and Promotion Policies; Committee on Professional Ethics and Academic Freedom (Resolution and Legislative History attached)
5. Introduction of Resolutions
6. Biennial Report on Women Faculty and Faculty of Color: Executive Vice President for Academic Affairs Donald R. Lehman
7. Status Report on Administration Plans regarding ways of meeting the FY 06-07 Budget Shortfall: Executive Vice President for Academic Affairs Donald R. Lehman; Executive Vice President and Treasurer Louis H. Katz
8. General Business:
  - (a) Nominees for election to the Nominating Committee for the Executive Committee for the 2006-07 Session (nominees to be announced)
  - (b) Report of the Executive Committee: Lilien F. Robinson, Chair
9. Brief Statements (and Questions)
10. Adjournment

*Elizabeth A. Amundson*

Elizabeth A. Amundson  
Secretary

A RESOLUTION ON ESTABLISHING CRITERIA FOR APPOINTMENTS,  
REAPPOINTMENTS, AND PROMOTION OF REGULAR, ACTIVE-STATUS FACULTY  
SERVING IN NON-TENURE-ACCRUING APPOINTMENTS (05/6)

- Whereas, Article IV of the Faculty Code and Part B of the Procedures for the Implementation of the Faculty Code confer upon the faculty of each school the responsibility to establish and publish criteria on which regular, active-status faculty appointments, reappointments and promotions will be based, and require the faculty of each department to establish and publish any additional criteria; and
- Whereas, Part B.2 of the Procedures for the Implementation of the Faculty Code requires that recommendations for faculty appointments, reappointments and promotions shall be made by the faculty members of the appropriate rank in each department or nondepartmentalized school, acting either as a committee of the whole or through a duly elected standing committee; and
- Whereas, Article IV.B.1 of the Faculty Code stipulates that “promotion shall be dependent upon professional competence as evidenced by teaching ability, productive scholarship, participation and leadership in professional societies, service to the University, and public service”; and
- Whereas, the Faculty Code offers no guidance as to whether regular, active-status faculty holding non-tenure-accruing appointments must be judged by criteria identical to those applied to faculty holding tenure-accruing appointments of the same rank within the same department or within a nondepartmentalized school in connection with decisions regarding appointment, reappointment, or promotion; and
- Whereas: it is in the best interests of all regular, active-status faculty to have explicitly-stated criteria governing appointments, reappointments and promotion; and
- Whereas, in the absence of such guidance in the Faculty Code, several schools of the University have proposed the creation of new position titles to provide for school-specific teaching and program development needs; and
- Whereas, it is in the best interests of the University that a universal set of faculty titles and ranks, as specified in Article I.B of the Faculty Code, be applicable across all academic units of the University; and
- Whereas, it is in the best interests of the University, as an integral part of the academy, to expect that all regular, active-status faculty will generate productive scholarship and disseminate existing knowledge through their teaching; and
- Whereas, teaching loads and service assignments for all regular, active-status faculty, including faculty holding non-tenure-accruing appointments, should be structured so that during the term of each appointment, consistent with the University’s needs, each regular, active-status faculty member has a reasonable opportunity to generate evidence of teaching ability and productive scholarship; and
- Whereas, it is not appropriate to appoint faculty members to regular, active-status positions with the accompanying faculty governance rights unless they are expected to be actively engaged in all of the key areas of teaching, productive research, and service to the University, professional societies and the public; and
- Whereas, a number of universities have appointed “professors of practice” to meet teaching and specialized programmatic needs, and at least one school in the University has appointed a small number of “professors of practice” for similar purposes; and

Whereas, the title of "professor of practice" (at assistant, associate and full professor levels) should be authorized under the Faculty Code for full-time faculty members who are hired to meet special teaching or program administration or development needs within a department or school but who are not expected to be actively engaged in the generation of productive scholarship, and such faculty members should be recognized as "special service" faculty without faculty governance rights similar to the status of research faculty under Article I.B.4. of the Faculty Code; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the Faculty Code be amended by adding the following new subsection at the end of Article I.B.:

5. **Special Service:** Special service faculty may be appointed, upon recommendation of the appropriate faculty and officers of the administration, as professor of practice, associate professor of practice, and assistant professor of practice, or with such other special service faculty designation as may be approved by the Vice President for Academic Affairs, in order to fulfill special teaching or program administration or development needs. Such appointments do not provide tenure, and special service faculty are not expected to generate productive scholarship.

- (2) That the Faculty Code be further amended by adding the following new section after Article IV.A.5:

**6. Criteria and Procedures for Appointments, Reappointments, and Promotion of Regular, Active-Status Faculty Serving in Non-Tenure-Accruing Appointments**

Each school and each department (except in the case of nondepartmentalized schools) shall take the following actions with regard to appointments, reappointments, and promotion of regular, active-status faculty serving in non-tenure-accruing appointments:

- a) In accordance with this Article IV and Part B of the Procedures for the Implementation of the Faculty Code, the faculty of each of the foregoing units shall approve and publish the criteria to be applied in making decisions regarding appointments, reappointments, and promotion of regular, active-status faculty serving in non-tenure-accruing appointments. These criteria shall be based on the purpose(s) of the non-tenure-accruing appointments. Each letter of appointment for a regular, active-status faculty member serving in a non-tenure-accruing appointment shall include appropriate references to the criteria and purpose(s) applicable to such appointment.
- b) Decisions regarding appointments, reappointments, and promotion of regular, active-status faculty for non-tenure-accruing positions at a rank lower than the rank of professor may be based on published criteria that assign different weights to the factors of teaching ability, productive scholarship, and service to the University, professional societies and the public than the published criteria that would be applied to faculty members serving in tenure-accruing appointments in the applicable department or nondepartmentalized school; provided, however, that
  - 1) none of the foregoing factors shall be assigned a weight of zero, and each regular, active-status faculty member serving in a non-tenure-accruing position shall be expected to generate evidence of teaching ability and productive scholarship; and



2) the weights to be applied to the foregoing factors shall be based on the purpose(s) of the particular non-tenure-accruing appointments, and such weights shall be explicitly stated in the applicable letters of appointment or reappointment; and

c) Decisions regarding appointments, reappointments, and promotion of regular, active-status faculty for non-tenure-accruing positions at the rank of professor shall be based on published criteria that are substantially comparable (though not necessarily identical) to the published criteria that would be applied to faculty members serving in tenure-accruing appointments in the applicable department or nondepartmentalized school.

d) Teaching loads and service assignments for all regular, active-status faculty in a department or nondepartmentalized school should be structured so that during the term of each appointment, consistent with the University's needs, each regular, active-status faculty member in that department or school has a reasonable opportunity to generate evidence of teaching ability and productive scholarship.

Committee on Appointment, Salary, and Promotion Policies  
February 24, 2006

Committee on Professional Ethics and Academic Freedom  
February 24, 2006

**Legislative History to Accompany**  
**A RESOLUTION ON ESTABLISHING CRITERIA FOR APPOINTMENTS,**  
**REAPPOINTMENTS, AND PROMOTION OF REGULAR, ACTIVE-STATUS FACULTY**  
**SERVING IN NON-TENURE-ACCRUING APPOINTMENTS (05/6)**

The Joint Subcommittee on Appointments, Reappointments and Promotion of Contract Faculty ("Joint Subcommittee") was commissioned by the Faculty Senate Executive Committee in accordance with the three following memoranda:

1. On February 4, 2004, Professor Lilien Robinson (Chair of the Faculty Senate Executive Committee) wrote to Professor Charles Garris (Chair of the Faculty Senate Committee on Appointment, Salary, and Promotion Policy, "ASPP") to request the ASPP Committee's consideration of, and recommendations for (among other issues), "formulation of policies on reappointment and promotion of contract faculty in programs without departmental affiliation."
2. On March 3, 2004, Professor Robinson wrote to Professor Garris as well as to Professor Ernest Englander (Chair of the Senate Committee on Professional Ethics and Academic Freedom, "PEAF") noting that "upon further discussion, our colleagues have come to the conclusion that it would be very helpful to have both the PEAFF and ASPP Committees address this matter. Accordingly, the Executive Committee recommends that you appoint a joint subcommittee to take on this project."
3. On July 16, 2004, newly-elected Chair of the Faculty Senate Executive Committee Professor Arthur Wilmarth, Jr., wrote to Professor Englander and Professor Sylvia Marotta (newly appointed Chair of the Senate Committee on Appointment, Salary, and Promotion Policy), with the request that the ASPP and PEAFF Committees "form a joint subcommittee to consider issues related to the appointment, promotion, reappointment, and general status of full-time contract faculty members. One particular issue is how status decisions should be made with respect to contract faculty who are not supervised by department chairs... It would be ideal if the subcommittee could include a mix of tenured and contract faculty..."

It was agreed by the Chairs of the ASPP and PEAFF Committees that the Joint Subcommittee need not be composed exclusively of ASPP and PEAFF members, but that there needed to be at least one member from each of the two Committees on the Joint Subcommittee. Professors Englander and Marotta canvassed the University Faculty to identify Faculty members who were interested in serving on the Joint Subcommittee. These included: Professors Englander and Marotta (co-chairs), and Professors Carayannis (GWSB), Chalofsky (GSEHD), Cherian (GWSB), Lornell (CCAS), Hilliard (GWSB), Mueller (GSEHD), Williams (GWSB) and Zink (University Writing Program). In consultation with EVPAA Lehman, two administrative Committee members were appointed: Dr. Jean Folkerts (representing the EVPAA) and Mr. Richard Weitzner, Associate General Counsel.

On October 11, 2004, Executive Committee Chair Wilmarth wrote Professors Englander and Marotta: "The Executive Committee has been advised of concerns that some contract faculty members are being hired with the expectation of carrying out primarily teaching and/or administrative duties while holding the same title (e.g., professor, associate professor, or assistant professor) as tenure-line faculty members or contract faculty members who are expected to fulfill a significant research component as part of their overall responsibilities. This practice has raised difficulties when contract faculty members who are appointed with such expectations are later considered for reappointment or promotion by faculty committees. Could you please ask your subcommittee to consider whether a separate designation should be used for full-time contract faculty members who are expected to devote most of their efforts to teaching and/or administrative tasks? We understand that [one school of the University] designates contract faculty members as "professors of practice" if they are hired "primarily for their ability to contribute to the teaching

programs of the School". Should a title similar to "professor of practice" (including instructor, assistant and associate ranks) be added to Article I.B.1 of the Faculty Code to designate a regular, active-status contract faculty member who is expected to devote most of his or her efforts to teaching and/or administrative tasks?"

The Joint Subcommittee met throughout the Fall 2004 and Spring 2005 semesters and produced a draft resolution and an accompanying statement of legislative history. The Joint Subcommittee was reconstituted in October 2005, and its members included: Professors Murli Gupta (CCAS, and ASPP chair) and Wilmarth (PEAF chair), as co-chairs, and Professors Artz (GWSB), Chalofsky, Gamber (Univ. Writing Program), Hamner (SEAS), Mueller, and Wirtz (GWSB). On November 30, 2005, the Joint Subcommittee agreed on a proposed resolution and statement of legislative history, which built upon the excellent work done by the Joint Subcommittee during 2004-05. In December 2005, the ASPP and PEAFF Committees met separately to discuss the Joint Subcommittee's proposal. As a result of those discussions, the ASPP and PEAFF Committees held a joint meeting on January 24, 2006, to develop a consensus on these matters. As a result of these and subsequent deliberations, the ASPP and PEAFF Committees reached the following conclusions:

1. Regular, active-status faculty holding non-tenure-accruing ("NTA") appointments constitute more than one-fifth of the University's full-time faculty and are needed by the University to meet a variety of programmatic needs. In 2005, the University's 730 regular, active-status faculty members included 165 faculty members serving in NTA positions. Because of concerns about financial flexibility and the great dependence of the University on enrollment-related revenues, Executive Vice President for Academic Affairs Donald R. Lehman advised the participants that neither the Administration nor the Board of Trustees would accept a resolution requiring that all regular, active-status faculty must be appointed to tenure-accruing positions. Professor Walter Kahn (SEAS) noted that Article I.B.1. of the Faculty Code recognizes the legitimacy of regular, active-status faculty holding NTA appointments by providing that up to 25 percent of the regular, active-status faculty of any school, and up to 50 percent of the regular, active-status faculty of any department, may consist of NTA faculty. The Law School, School of Medicine and Health Sciences, and the College of Professional Studies are exempted from these Code requirements. Professor Art Wilmarth expressed his concern that the Graduate School of Education and Human Development and the School of Public Health and Health Services are not even close to complying with these Code requirements and both Schools have made little or no progress toward increasing their percentages of tenure-accruing faculty during the past several years. Other participants agreed with this concern and felt that the Faculty Senate should address these departures from the Faculty Code.
2. The Joint Subcommittee and the two Committees actively deliberated on whether separate titles should be designated for regular, active-status faculty members who are expected to devote most of their efforts to teaching and/or administrative tasks. After extensive discussion and review of the individual schools' needs, as well as a thorough review of the current provisions in the Faculty Code (notably Article IV, "Appointment, Reappointment, Promotion, and Tenure"), the Joint Subcommittee and the two Committees concluded that it would be far more advisable to draw on the *current* language of Article I.B.1. of the Faculty Code, which is sufficiently broad to allow the multiplicity of school-based needs to be met through *existing* titles, than to augment the Faculty Code with what would be a proliferation of new titles for regular, active-status faculty to accommodate the multiple, non-overlapping current needs (as well as unforeseen future needs) of the individual academic units.

3. The Joint Subcommittee and the two Committees were sensitive in their deliberations to the consequence of the foregoing conclusion -- namely, that identical titles (e.g., Assistant Professor) might carry different predominant responsibilities among regular, active-status faculty members across and within academic units. It was agreed that this flexibility is generally a strength (permitting dynamic response to the University's evolving needs on an academic unit basis) with respect to NTA positions below the rank of full professor. At the rank of full professor, however, it was agreed that there should be a closer similarity between tenure-accruing and NTA faculty. Accordingly, it was determined that the criteria for appointments, reappointments and promotion to the rank of full professor for NTA faculty should be "substantially comparable (though not necessarily identical) to the criteria that would be applied to faculty members serving in tenure-accruing appointments in the applicable department or nondepartmentalized school."
4. The Joint Subcommittee recognized that, in promoting the flexibility of responsibilities for regular, active-status faculty holding NTA positions, as recognized in the accompanying Resolution, it is essential that academic units identify and articulate, in advance, the responsibilities of every regular, active-status faculty member serving in an NTA position, as is already done for tenure-accruing faculty (through the Bylaws of the individual academic units). Accordingly, the faculty of each academic unit must establish and publish the criteria for appointments, reappointments, and promotion of regular, active-status faculty holding NTA positions in accordance with Article IV of the Faculty Code and Part B.2. of the Procedures for the Implementation of the Faculty Code.
5. As reflected in the accompanying Resolution, every regular, active-status faculty member should contribute to the fulfillment of all areas of faculty responsibility within his or her respective department or nondepartmentalized school, including the areas of teaching and productive scholarship. Accordingly, the Resolution provides that, in making decisions regarding appointments, reappointments and promotion of regular, active-status faculty members in NTA positions, none of the areas of faculty responsibility should be assigned a weight of zero and each such faculty member should be expected to generate evidence of teaching ability and productive scholarship. In addition, the Resolution provides that teaching loads and service assignments should be structured so that during the term of each appointment, consistent with the University's needs, each regular, active-status faculty member has a reasonable opportunity to satisfy the foregoing expectations for teaching and scholarship.
6. The ASPP and PEAFF Committees agreed that a faculty position should not be classified as a regular, active-status position unless it includes an expectation of generating productive scholarship. In this regard, the two Committees concurred that faculty members should not receive faculty governance rights as regular, active-status faculty under the Faculty Code unless they are actively engaged in all of the key areas of teaching, scholarship and service. This conclusion is consistent with (i) Article I.B.4. of the Faculty Code, which does not grant "regular" status or the accompanying faculty governance rights to research faculty, because research faculty are not expected to engage in teaching, and (ii) Article IV.B.1. of the Faculty Code, which provides that promotion of regular, active-status faculty members "shall be dependent on professional competence as evidenced by teaching ability, productive scholarship, participation and leadership in professional societies, service to the University, and public service."
7. The ASPP and PEAFF Committees agreed that a new title of "professor of practice" (at assistant, associate and full professor levels) should be authorized in the Faculty Code for full-time faculty members who are hired to fulfill special teaching or program administration or development needs in a department or school but who are not expected to generate productive scholarship. These special service faculty

members would be similar to the "professors of practice" who have been appointed for one or two three-year terms in the Elliott School of International Affairs. Such special service faculty should not be appointed to regular, active-status positions and should not receive faculty governance rights. It was agreed that a new category of "Special Service" faculty should be authorized under Article I.B. of the Faculty Code, and that this new category should include the "professor of practice" designations and should also permit additional special service faculty designations that are recommended by the faculty of a department or nondepartmentalized school and approved by the Executive Vice President for Academic Affairs.

The Joint Subcommittee also looked carefully into the question of possible "formulation of policies on reappointment and promotion of contract faculty in programs without departmental affiliation". In collaboration with the Faculty Senate Executive Committee, the Joint Subcommittee determined that the faculty associated with one Program -- the University Writing Program in the Columbian College of Arts and Sciences -- was, initially, without adequate protection under the Faculty Code. In the Joint Subcommittee's opinion, the Columbian College bylaws have since been amended to provide rights and protections for the faculty in that Program that conform to the rights and protections offered to all regular, active-status faculty under the Faculty Code. The Joint Subcommittee did not, therefore, recommend additional policies on appointment and promotion of contract faculty in programs without departmental affiliation.

Murli M. Gupta.  
Chair, ASPP Committee

Arthur E. Wilmarth, Jr.  
Chair, PEAFF Committee

February 24, 2006